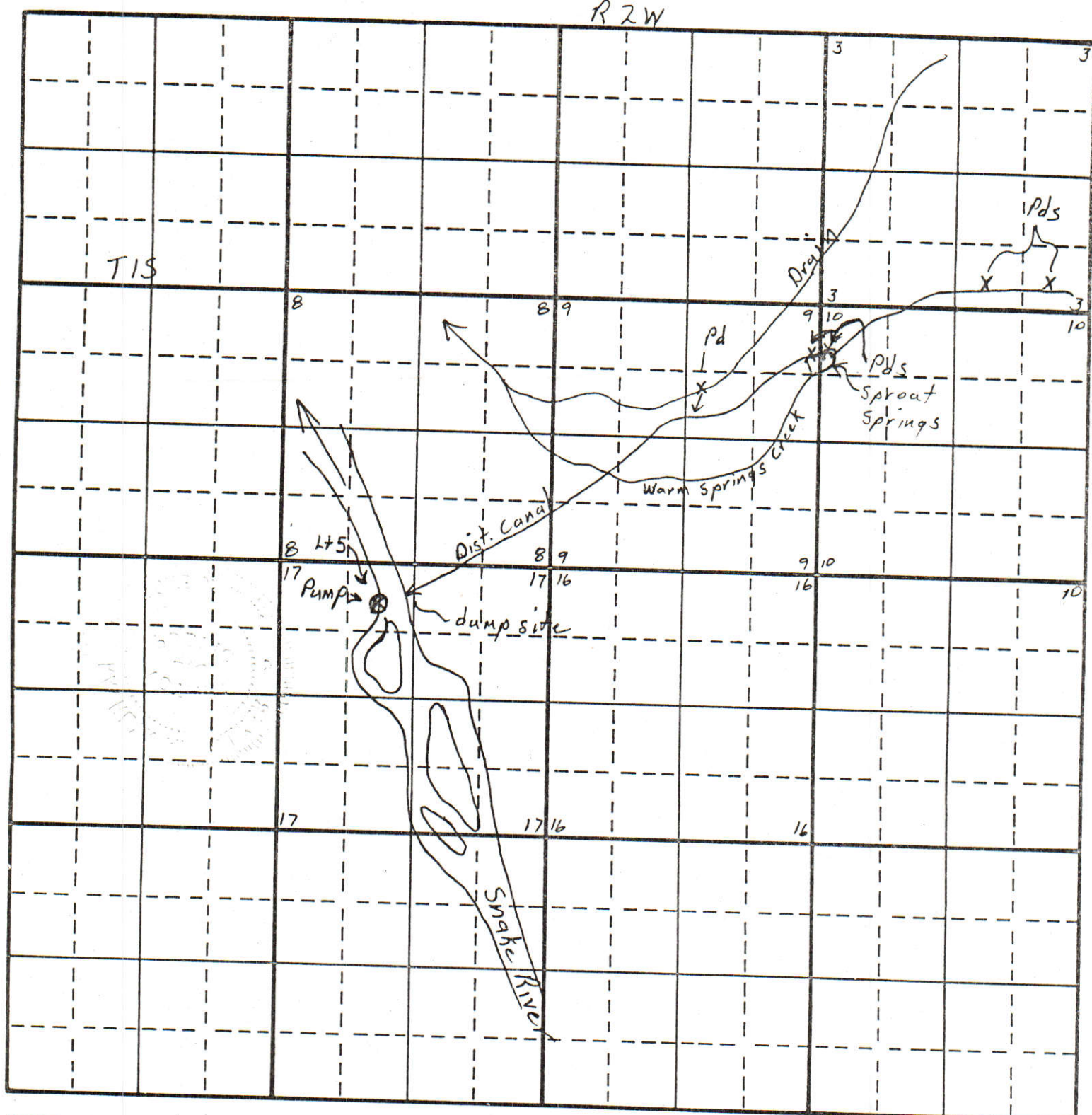


c. Describe the land or place of use to which the right will be transferred:

[illegible]

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 02-2027B, 02-0054
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
OF WATER RIGHT NUMBERS 63-0306, 63-0359)
AND 63-2420 IN THE NAME OF REYNOLDS) ORDER
IRRIGATION DISTRICT)
_____)

WHEREAS, on February 21, 1984, Reynolds Irrigation District filed an Application for Transfer with the Department of Water Resources to add a point of injection into the Snake River and to add a point of rediversion from the Snake River to the above referenced water rights; and,

WHEREAS, the summation of the diversion rates of these three water rights, is 57.56 cubic feet per second; and,

WHEREAS, water diverted under the three water rights has, since their development, been carried across the Snake River by a common pipeline; and,

WHEREAS, the capacity of that pipeline was measured by the Department to be 31.28 cubic feet per second on August 3, 1982; and,

WHEREAS, the total actual development of these three water rights is limited to the capacity of the pipeline; and,

WHEREAS, the transfer will meet the requirements of Section 42-222, Idaho Code if the rediversion rate is limited to the pipeline capacity;

IT IS, THEREFORE, HEREBY ORDERED, that the application for transfer of water right numbers 63-0306, 63-0359 and 63-2420 is APPROVED subject to the following conditions:

1. The rate of rediversion shall not at any time exceed the rate of injection.

2. The rate of rediversion shall be limited to a maximum of 31.28 cubic feet per second.

3. Measuring devices of a type approved by the Department shall be installed and maintained at the points of diversion, injection and rediversion. These measuring devices

RECORDED

shall be accessible and subject to control by to the Department,
the Watermaster of Water District No. 63T, and the Watermaster of
Water District 02 at such time as such District may be formed.

Dated this 24th day of September, 1984.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

120

Transfer No. 3027
(1) 63-0306
Water Right No. (2) 63-0359
(3) 63-2420

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Reynolds Irrigation District Phone 495-2277
Post Office address c/o Sam Pitman, Director; Star Rt., Melba, ID 83641

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. (1) 63-0306 Decreed to Reynolds Irrigation District
(2) 63-0359 (Name)
in case of (1) Bachman, Kennison, et al vs Reynolds Irrigation District
(2) Nicholson
dated in (1) 9/17/1934 in Seventh Jud. Dist. county of Canyon
(2) 6/11/1956 (Name of court)
b. License No. (3) 63-2420 issued by the Idaho Department of Water Resources
c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water (1) Warm Springs Creek Snake River
(2) Wells & Drain Ditches tributary to Warm Springs Creek
(3) Warm Springs Creek Snake River
4. Date of priority (1) 4/1/1934
(2) 4/1/1950
(3) 3/8/1929
5. Water is used for the following purposes:
amount (1) 8 cfs for Irr. & Domestic purposes from 4/1 to 11/1
(2) 26 cfs for Irr. & Domestic & Stockwater purposes from 4/1 to 11/1
amount (3) 23.56 cfs for Irrigation purposes from 4/1 to 11/1
(month/day — both dates inclusive)

6. Total amount of water under right: a. 57.56 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is (1) SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10
Township 1S Range 2W, B.M., in Canyon County
Additional points of diversion, if any (2) NWNW Sec 10 T1S R2W
(3) NWNW Sec 10 T1S R2W

8. Lands irrigated or place of use: Lands Within Reynolds Irr. Dist. Boundaries ✓

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above 02-2027B, 02-0054

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 57.56 c.f.s. &/or _____ acre feet

Description of diverting works:
Headgates and ditches will still divert and carry well, drain ditch and Warm Springs Creek water, but will dump this water into the Snake River on the Canyon County side. The District will then use it's Snake River pumping plant located on the Owyhee County side to divert a like amount of water into it's irrigation system.

Describe the reasons for the proposed changes:
By dumping water and pumping, the District will eliminate a pipeline across the Snake River and thus reduce maintenance costs. The pipeline has a capacity of approximately 34 cfs; the Snake River pumping plant will also pump only the 34 cfs that could be delivered by the pipeline.

2. Change in point of diversion
- Point of diversion NW ¼ NW ¼, Section 10 Township 1S
Range 2W, B.M., Canyon County
Additional points SWSE, SESE Sec 3 and SWNE, NENE Sec 9 T1S R2W
Snake River Diversion Lot 5 (NENW) Sec 17 T1S R2W

3. Change in place of use no change
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No x If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

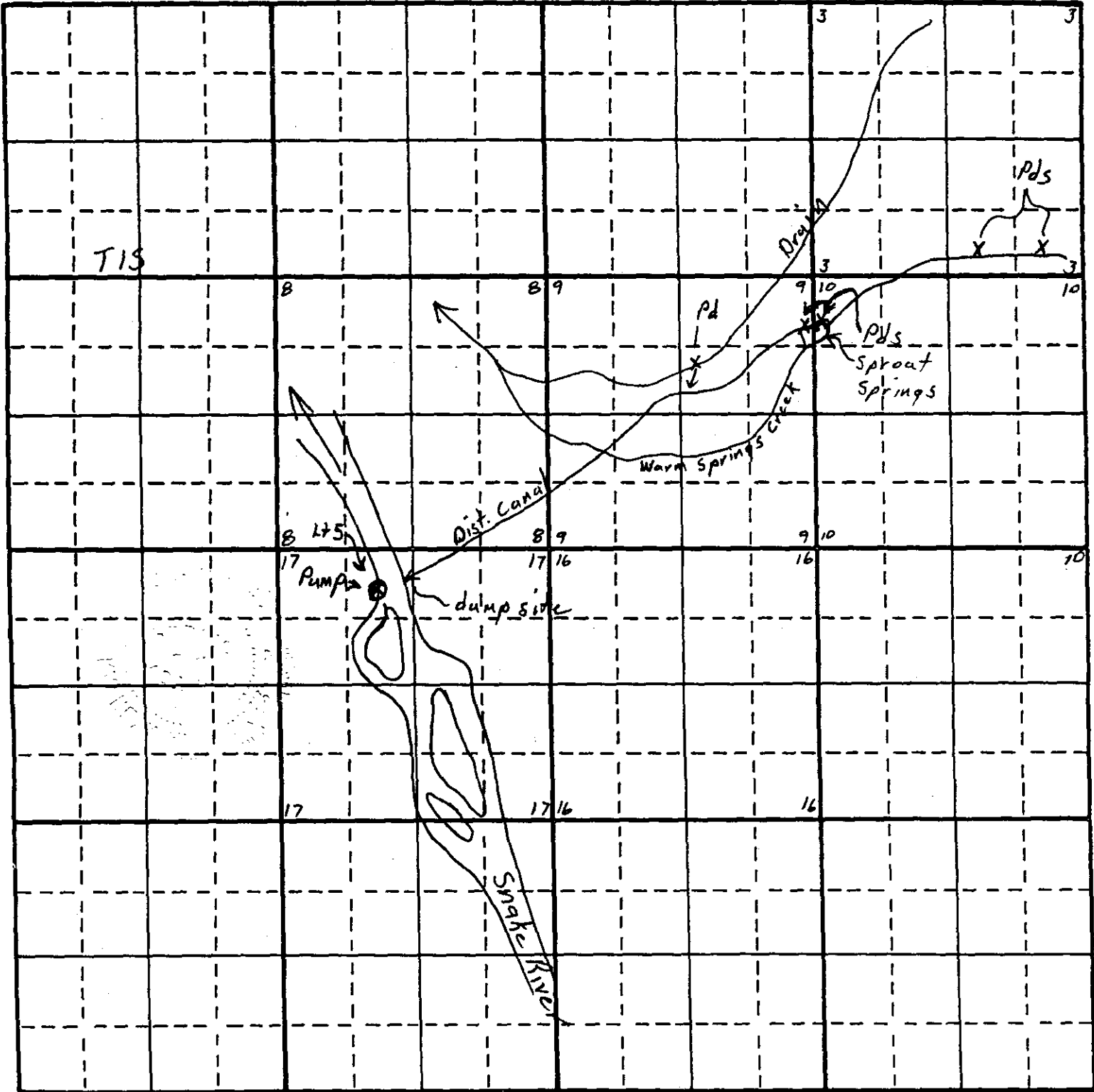
c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 02-2027B,
02-0054
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 2 W



D. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 21 day of February, 19 84

Sam C. Hunter
(Signature of Applicant)

Kathleen A. Walker
(Notary Public)

My commission expires 2/15/1987

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-0306/0359/2420 and said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ORDER DATED 9/24/84.

Witness my hand this 24th day of September, 19 84

L. Glen Gayton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by KW Date 2/21/84 Protest filed by _____
Prelim. check by CLS Fee 50.00
Receipted by KW Date 2/21/84 # 33758
Published in Press Tribune 3/14/84 3/21/84 Copies of protest forwarded by _____
Pub. dates 3/7/84 3/14/84 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by DRS Det

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. 17062 Amount 23.56 sec. ft.
Water District No. Priority March 8, 1929

THIS IS TO CERTIFY that JOHN E. KEITH
of Melba, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 8, 1929; that Permit No. 17062
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
30 second feet, was issued thereunder on November 20, 1936, showing that said works
were completed on the 20th day of June, 1934; and that on the 20th
day of June, 1934,

REYNOLDS IRRIGATION DISTRICT, Assignee

of Melba, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Warm Springs
Creek, a tributary of Snake River, for the purpose of irrigation
, under Use Permit No. 17062 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3848, on the 20th day of November, 1936;
The right hereby confirmed dates from March 8, 1929;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 10, Tp. 1 S., R. 2 W., B. M., Canyon County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 23.56
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	3 W.	12	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	20	20
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	35	20
			W $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	35	35
		13	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	35.5	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	44.35	44
1 S.	2 W.	6	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.6	30
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	37.2	36
		18	SW $\frac{1}{4}$ NE $\frac{1}{4}$	35	30
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	30
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	35	15
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	39	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	38.8	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.55	30
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.2	5
19	NE $\frac{1}{4}$ SE $\frac{1}{4}$	20	20		
	W $\frac{1}{2}$ SE $\frac{1}{4}$	80	80		
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30	25		
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30	30		
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	6	5		
	20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10	5	
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	22	22	
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	20	10	
		NE $\frac{1}{4}$ NW $\frac{1}{4}$	25	25	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	38	35	
		NE $\frac{1}{4}$ SW $\frac{1}{4}$	25	25	
		NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30	
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
	21	SW $\frac{1}{4}$ SE $\frac{1}{4}$	20	10	
SE $\frac{1}{4}$ SE $\frac{1}{4}$		40	40		
28		SW $\frac{1}{4}$ SW $\frac{1}{4}$	16	16	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30	
29		NE $\frac{1}{4}$ NE $\frac{1}{4}$	35	20	
Total Number of Acres Irrigated.....					1178

C3 2420

State of Idaho
License and Certificate of Water Right

Water License No. 15893

Amount Q.8 sec. ft.

Water District No..

Priority Oct. 16, 1923

THIS IS TO CERTIFY that **WALTER G. LEPLANG**
of **Ketchum, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **October 5**, 19 **23**; that Permit No. **15893**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.9 second feet, was issued thereunder on **September 21**, 19 **26**, showing that said works
were completed on the **18th** day of **September**, 19 **26**; and that on the **3rd**
day of **November**, 19 **27**,

WALTER G. LEFLANG

of Ketchum, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Lake Creek, a tributary of Big Wood River, for the purpose of irrigation and domestic use, under Use Permit No. 15895 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3847, on the 23rd day of October, 1936;

The right hereby confirmed dates from October 16, 19 23;

The Point of Diversion is located 5000' distant from the N. corner of H.E.S. #328, in Sawtooth Forest Reserve, on unsurveyed land in the $\frac{1}{4}$ $\frac{1}{4}$ Sec. , Tp. 5 N. , R. 17 E. , B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			A triangular tract of unsurveyed land in the Sawtooth Forest Reserve, patented homestead of applicant containing 51.13 acres.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 23rd day of October, 1936

R. W. FARIS

Commissioner of Reclamation

(SEAL)

RE APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24062
Permit No. 17062

Name of Applicant: John E. Keith,
PostOffice Address: Melba, County: Owyhee. State: Idaho.

STATE OF IDAHO)
County of Ada) ss.

John E. Keith, being first duly sworn, deposes and says that he is the permittee above named.

That since the time of filing said application No. 24062 and obtaining permit No. 17062, it appears that in order to conserve all of the water of said springs now running to waste for several months each year, that a reservoir is necessary as a part of the irrigation system for the complete irrigation of said lands, and this affidavit is filed as a part of said application and permit to correct the statement therein in answer to the question "Is reservoir to be used?" from "No" to "Yes".

John E. Keith

Subscribed and sworn to before me this 12th day of November, 1930.

(SEAL)

Nelle Schultz
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

Received and filed for record in the Department of Reclamation at Boise, Idaho,
at 3-P.M., Nov. 13, 1930.

Geo. N. Carter,
Commissioner of Reclamation.
C.B.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application)
of John E. Keith for Extension)
of Time for compliance with the)
requirements of Permit No. 17062,)
Under the Provisions of Sec. 5570,)
Idaho Compiled Statutes.)

ORDER GRANTING EXTENSION

WHEREAS, On August 25, 1931, John E. Keith filed in the Department of Reclamation of the State of Idaho an application for extension of time for compliance with each and every act or action required under the terms and provisions of Permit to appropriate the public waters of the State of Idaho, No. 17062, under the provisions of Section 5570 of the Idaho Compiled Statutes, for the following reasons, to-wit:

THAT, on the 22nd day of November, 1930, the applicant John E. Keith, filed with the U. S. Land Commissioner at Boise, Idaho, his application to the Secretary of the Interior for rights of way over and across the public lands of the United States, accompanied with all maps, field notes and other data required by the laws of the United States and the rules and regulations made pursuant thereto by the Department of the Interior, and that the applicant has done all things required of him pertaining to said rights of way but that he has been unable to obtain the necessary consent or final approval or rejection from the Federal Government of his said application for rights of way or for any part thereof:

WHEREFORE, IT IS HEREBY ORDERED That, by reason of the pendency of the application for right of way, and matters within the jurisdiction of the United States over which the applicant has no control, all as hereinbefore set forth, the time for compliance with each and every act or action required under the terms and provisions of said Permit No. 17062 is extended a period of time equal to the time during which the applicant herein is delayed in proceeding with his work and complying with said acts or actions as aforesaid, said extension of time to date from November 22, 1930, being the date the applicant filed his application for right of way with the U. S. Land Commissioner at Boise; and the applicant herein shall notify this office of the removal of the disability above set forth within 30 days from the date of such removal.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation of Idaho, at Boise, this 26th day of August, 1931.

(SEAL)

R. W. FARIS,
Commissioner of Reclamation.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application)
of JOHN E. KEITH to Extend the)
Time for Requirements Under Permit)
No. 17062, Under the Provisions)
of Section 41-204, Idaho Code)
Annotated.)

ORDER EXTENDING TIME

WHEREAS, John E. Keith filed in the Department of Reclamation of the State of Idaho, an application for extension of time within which to comply with the terms of Permit No. 17062, Under the provisions of Section 41-204, Idaho Code Annotated; and,

WHEREAS, On the 26th day of August, 1931, an order was issued by the Commissioner of Reclamation of the State of Idaho, granting such extension of time and that such extension date from November 22, 1930, being the date the applicant filed his application for right of way with the U. S. Land Commissioner at Boise, Idaho; and,

WHEREAS, On September 27, 1933, the applicant filed in the Department of Reclamation of the State of Idaho, notice of removal of the obstruction for which such extension of time was requested, said notice setting forth the fact that the removal of the obstruction dated back to September 8, 1933; and,

WHEREAS, The length of time elapsing between November 22, 1930, the date of the filing of the application for right of way with the U. S. Land Commissioner, and September 8, 1933, the date of removal of the obstruction for which such extension of time was requested, amounts to two years, nine months and seventeen days:

IT IS, THEREFORE, HEREBY ORDERED, That the dates for complying with the terms of said permit No. 17062, be and the same are hereby extended as follows, to-wit:

The time of completion of one-fifth of the work described under said permit be extended from September 12, 1931, to June 29, 1933.

The time for completion of works of diversion described under said permit, be extended from March 12, 1934, to December 29, 1936.

The time for beneficial use of water appropriated under said permit, be extended from March 12, 1940, to December 29, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, this 11th day of October, 1933.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

ASSIGNMENT.

For value received, I hereby assign all of my right, title and interest in and to that certain permit to appropriate the public waters of the State of Idaho, No. 17062 to Reynolds Irrigation District.

Dated this 8th day of September, 1933.

(Signed) John E. Keith
John E. Keith

Subscribed and sworn to before me this 8th day of September, 1933.

(Signed) F. G. Hoffman
F. G. Hoffman
Notary Public for Idaho, Residing
at Caldwell, Idaho.

(SEAL)

My Commission expires Sept. 6, 1935.

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 10:00 A. M., May 14, 1934.

R. W. FARIS
Commissioner of Reclamation By PIH

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24062
Permit No. 17062
District No.

1. Name of Applicant: John E. Keith,

Postoffice address: Melba,

County: Canyon,

State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Thirty (30) cubic feet per second.

3. Source of water supply: Warm Springs Creek which is a tributary of Snake River

4. Location of point of diversion: 1250 feet distant from the northwest corner of Section 10, T. 1 S., R. 2 W., B. M., and is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T. 1 S., R. 2 W., B. M., County of Canyon.

5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 60,000.00

8. Kind of works: Diversion dam, ditch and pipe

9. Height of dam 10 feet; length of dam at top 200 feet; length of dam at bottom 20 feet; material used in dam: sheet piling and earth fill

10. Size of headgate: Width 8 feet; height 6 feet.

11. Ditch: Width at bottom 3 feet; width at water line 8.4 feet; depth of water 2.7 feet; dimensions of flume

Diameter of pipe 42 and 36 inches; length of conduit 3 miles.

Average grade per mile 6.8 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

Permit No. 17062

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that REYNOLDS IRRIGATION DISTRICT of Melba, County of Owyhee, and State of Idaho, the holder of Permit No. 17062, issued upon Application No. 24062 bearing date of priority of March 8, 1929, authorizing the diversion of 30 second feet of the waters of Warm Springs Creek, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 30 second feet of the waters of Warm Springs Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 1 S., R. 2 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 12; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, all in T. 1 S., R. 3 W., B. M.; SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 18; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29; all in T. 1 S., R. 2 W., B. M.; a total of 1636.3 acres.

Witness my hand this 20th day of November, A. D. 1936.

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made June 20, 1934
Certificate of Completion of Works issued November 20, 1936

LICENSE ISSUED FOR 23.56 SEC. FT.

p. 3848 Bal 7

WATER RIGHT NUMBER 63-2420

OWNER LAST NAME - KEITH
OWNER LAST NAME - REYNOLDS IRR. DIST.FIRST NAME - JOHN E
FIRST NAME -ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - MELBA

STATE - ID ZIP CODE -

SOURCE - WARM SPRINGS CREEK

TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 03-08-1929

COUNTY - CANYON

TOTAL DIV. RATE -

23.5600 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND - T

WATER DIST. - 63T

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT -

NWNW 10 01S 02W LOT

REDIV -

272.0 348.0

0.0

0.0

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0.0

0.0

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2.7

SWSE 03 01S 02W LOT

REDIV -

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SESE 03 01S 02W LOT

REDIV -

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NENE 09 01S 02W LOT

REDIV -

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SWNE 09 01S 02W LOT

REDIV -

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NENW 17 01S 02W LOT

REDIV -

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0.0

FROM - TO -

USE - IRRIGATION

USE DIV. RATE -

23.5600

CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 03W SEC 12

TRACT SWNW LOT

AC 35

TRACT

SENE LOT

AC 20

TRACT NESW LOT

AC 40

TRACT

NWSW LOT

AC 35

TRACT SESW LOT

AC 20

TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 40

TRACT

SESE LOT

AC 35

TRACT NENE LOT

AC 30

TRACT

NENE LOT

AC 40

TRACT SENE LOT

AC 30

TRACT SWNW LOT

AC 44

TRACT

NESW LOT

AC 30

TRACT NWSW LOT

AC 36

TRACT SWNE LOT

AC 30

TRACT

SENE LOT

AC 30

TRACT NENW LOT

AC 15

TRACT

NWNW LOT

AC 40

TRACT SWNW LOT

AC 40

TRACT

SENE LOT

AC 25

TRACT NESW LOT

AC 20

TRACT

NWSW LOT

AC 30

TRACT SESW LOT

AC 05

TRACT

NESE LOT

AC 20

TRACT NWSE LOT

AC 40

TRACT

SWSE LOT

AC 40

TRACT SESE LOT

AC 25

TRACT NENE LOT

AC 30

TRACT

NENE LOT

AC 05

TRACT NWNE LOT

AC 05

TRACT

SWNE LOT

AC 22

TRACT SENE LOT

AC 10

TRACT

NENW LOT

AC 25

TRACT NWNW LOT

AC 35

TRACT

NESW LOT

AC 25

TRACT NESE LOT

AC 30

TRACT

NWSE LOT

AC 40

TRACT SWSE LOT

AC 10

TRACT

SESE LOT

AC 40

TRACT SWSW LOT

AC 16

TRACT NWNW LOT

AC 30

TRACT NENE LOT

AC 20

DATE -

TOTAL ACRES 1,178

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 02W SEC 21

TRACT SWSW LOT

AC 16

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 02W SEC 28

TRACT NWNW LOT

AC 30

USE - IRRIGATION

PLACE OF USE - TWN 01S RNG 02W SEC 29

TRACT NENE LOT

AC 20

DECREE NAME -

REMARKS - TRANS. 3027 (63-0306/0359/2420). THE RATE OF DIV. SHALL NOT AT ANY TIME EXCEED THE RATE OF INJECTION. THE RATE OF DIV. SHALL BE LIMITED TO A MAX. OF 31.28 CFS. MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT. SHALL BE INSTALLED & MAINTAINED AT THE PTS. OF DIV., REDIVERSION & INJECTION. THESE MEASURING DEVICES SHALL BE ACCESSIBLE & SUBJECT TO CONTROL BY THE DEPT., WATERMASTER OF W. DIST. 63T & WATERMASTER OF W. DIST. 02 AT SUCH TIME AS SUCH DISTRICT MAY BE FORMED.

PT. OF INJECTION INTO SNAKE R. LOCATED IN NENW, S17, T1S, R2W, LOT 4.

P/U DESCRIPTION MAY NOT COVER ALL LANDS OF REYNOLDS IRR. DIST. INCLUDED IN TRANS.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED - PROTESTED -
PROOF MADE - FLD EXAM - COND. OF APPROVAL - 16 ✓
DIVERSION MEANS -

HEARING - (

OLD NO. - 17062 (

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 6/26/84

TO Files 63-0359/2420

SUBJECT Transfer No. 3027

See file 63-0306 for all correspondence regarding the above referenced transfer.

SIGNATURE

UNCLASSIFIED

63-2420

[illegible]

Total number of acres irrigated _____

100-443887-100

IDENT. NO. 63-2420

WATER RIGHT
DATA ENTRY LOG[illegible]

November 20, 1936

Re: Permit No. 17062

REYNOLDS IRRIGATION DISTRICT
Melba, Idaho

Gentlemen:

You will find attached hereto, Certificate of Completion of Works adequate for the diversion of 30 cubic feet of water per second issued under the terms of the above permit, and a Water License for 23.56 second feet, both of which have today been signed by the Commissioner of Reclamation.

We are also enclosing herewith, Office Receipt No. 16032 in the amount of \$53.00 covering fees remitted by you in this connection.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

17062

cj
encl 3

November 19, 1936

Re: Permit No. 17062
Reynolds Irrigation District

CLAUDE H. HIGH AGENCY
218 North 8th St.
Boise, Idaho

Gentlemen:

In reply to your letter of November 17th, please be advised that we just received the fee of \$53.00 due in connection with proof of completion of works and proof of application of water to beneficial use under the above permit. A certificate of completion of works is being issued today.

While this department, according to an opinion from the Attorney General's office, has no authority to give a release of a bond under a permit under any conditions, it is our opinion that this letter should suffice to clear your records, since certainly there is no need for a bond after a certificate has been issued confirming the completion of the project in question.

Very truly yours,

Chief Clerk & Office Engineer.

PLH/cj

17062

Claude R. High

CLAUDE R. HIGH AGENCY

General Insurance

FIRE AND AUTO INSURANCE

FIDELITY AND SURETY BONDS

IDAHO'S LARGEST INSURERS OF COMMERCIAL VEHICLES

November 17, 1936

MEMBERS

IDAHO MOTOR TRANSPORT
ASSOCIATION

IDAHO ASSOCIATION OF FIRE
INSURANCE AGENTS

TELEPHONE 1755
218 NORTH EIGHTH STREET
BOISE, IDAHO

RECEIVED
NOV 18 1936
Department of Reclamation

Dept. of Reclamation,
State of Idaho,
Boise, Idaho.

Re: Water Permit Bond -
John E. Keith -
Hartford Acc. & Ind. Co.
Bond No. 797924

Gentlemen:

It is our understanding that the above principal has made final proof of Beneficial use and completed all Water Works in connection therewith under his filing for certain water to be placed with Beneficial use in the State of Idaho.

If this is the case, no doubt this bond can be terminated at this time and therefore not cause the principal, Mr. Keith, to pay any additional premiums under the bond.

Will you kindly give us statement verifying the fact that this bond will no longer be necessary since the work has been completed in accordance with his filing of application for water for Beneficial use.

Yours very truly,

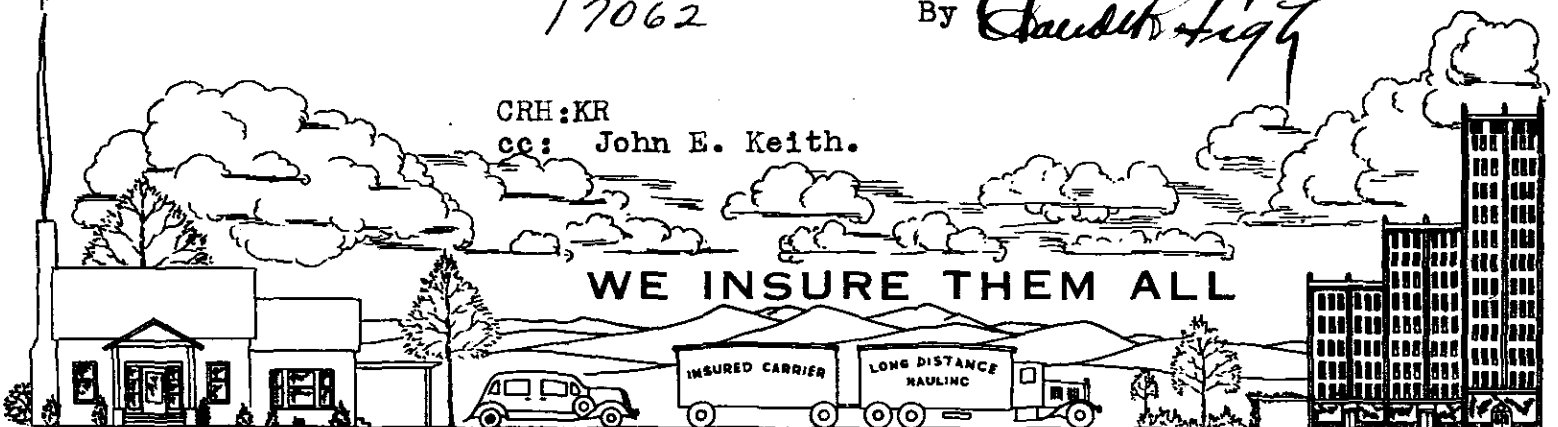
CLAUDE R. HIGH AGENCY

By *Claude R. High*

17062

CRH:KR
cc: John E. Keith.

WE INSURE THEM ALL



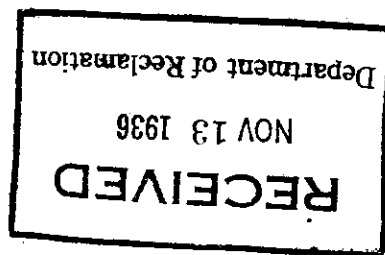
Boise, Ida-
Nov, 10, 1936

Dept. of Reclamation
Boise, Ida-
Gentlemen:

Enclosed find cash warrant.
for 53.00, of which \$11.00 is fee for Certificate
of completion of works, and \$42.00 fee for
Proof of Beneficial use of water, on Permit
no. 17062, of Reynolds Irrigation District

Yours truly

Carl Bachman
Treas



17062

July 25, 1935

Re: Permit No.17062
Reynolds Irrigation District

MR. JOHN E. KEITH, President
Melba,
Idaho

Dear Sir:

This is to inform you that we have dismissed the protest against the issuance of a license under the above permit and that upon payment of the following fees a certificate of completion of works and also a license will be issued to the district; fee for completion of works, \$11.00, fee for beneficial use proof, \$42.00, making a total of \$53.00 due the department. The certificate of completion of works will be for 30 second feet. However, the license must be limited to 23.56 second feet, or in other words, to one miners inch per acre for a total of 1178 acres.

In view of the fact that a case is now pending in the Supreme Court, it is possible that you will not care to complete this matter. However, if you do desire the certificate of completion of works and the license, kindly remit these fees at your earliest convenience.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. THOMAS McMILLAN
Melba,
Idaho

Dear Sir:

We are enclosing herewith an order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license, of course, will not affect any right that has an earlier priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. OSCAR C. SIMPSON
Melba,
Idaho

Dear Sir:

We are enclosing herewith order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license, of course, will not affect any right that has an earlier priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. FRED L. BACHMAN
Melba,
Idaho

Dear Sir:

We are enclosing herewith an order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license, of course, will not affect any right that has an earlier priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

FLM/rg
Encl.

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. FRED BACHMAN
Malba,
Idaho

Dear Sir:

We are enclosing herewith an order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license will, of course, not affect any right that has an earlier priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. JOHN E. KEITH, President
Melba,
Idaho

Dear Sir:

We are enclosing herewith an order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license will, of course, not affect any right that has an earlier priority.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
Encl.

17062

July 25, 1935

Re: Permit No. 17062
Reynolds Irrigation District

MR. RAY KENNISON
Melba,
Idaho

Dear Sir:

We are enclosing herewith an order dismissing the protest filed against the issuance of a license under the above permit. This action is based upon the report of the examining engineer who, upon investigation, found that a total of 1178 acres of land had been irrigated with the water claimed from Warm Springs Creek and that the diversion works had been constructed to a sufficient capacity to carry the water claimed.

We shall, therefore, issue a certificate of completion of works and a license upon payment of the statutory fees due in connection with these proofs.

This license, of course, will not affect any right that has an earlier priority.

Very truly yours,

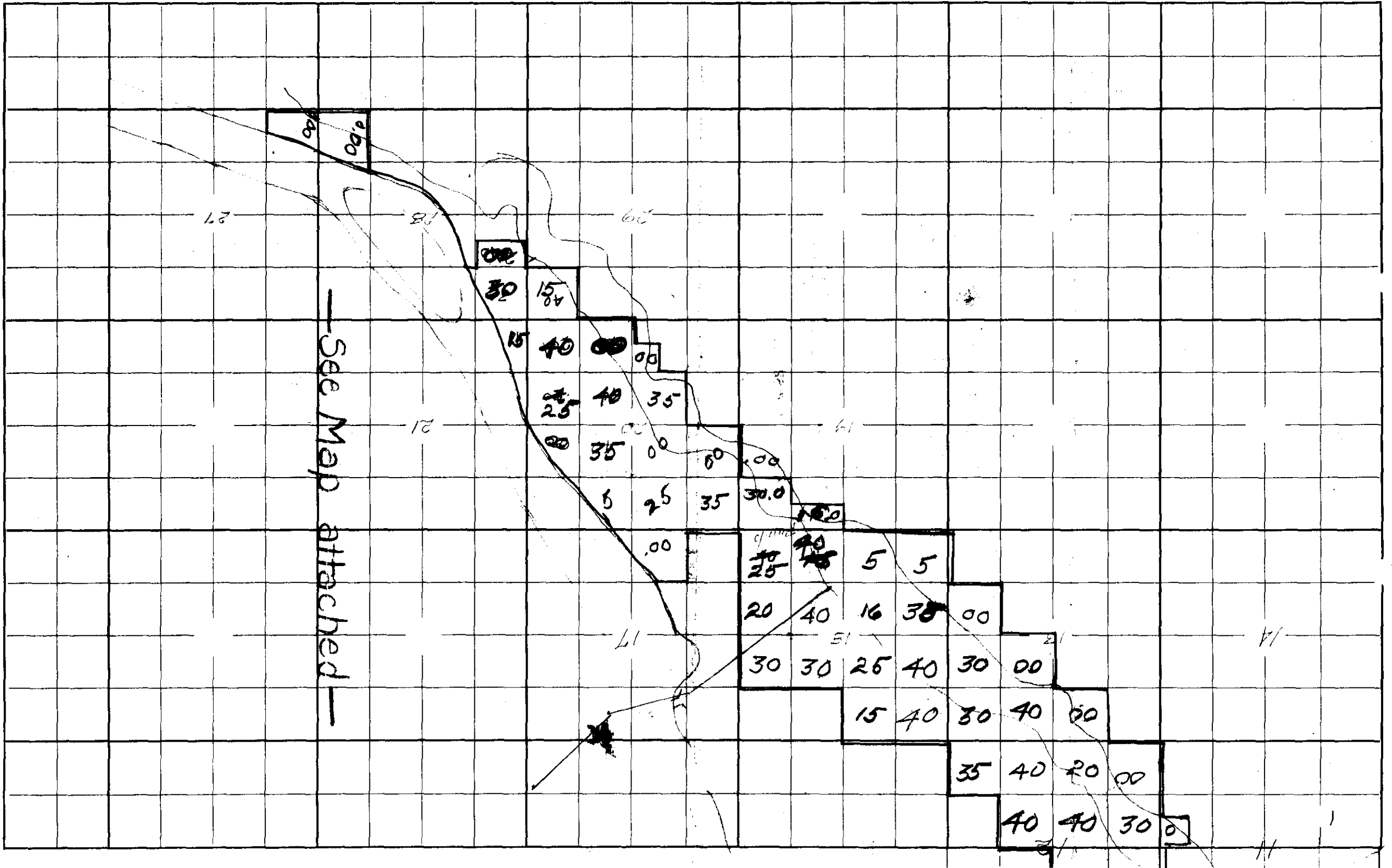
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLM/rg
Encl.

17062

17062



REYNOLDS IRRIGATION DISTRICT
John E. Keith, President
Melba, Idaho
Permit No. 17062

Examination for Completion of Works & Beneficial Use

County Canyon

A protest has been filed against these
proofs.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17062

This proof is for Completion of Works & Beneficial Use

In Water District No.

1. Name of applicant Reynolds Irrigation District, John E. Keith, President2. Source of water supply: Warm Springs Creek3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10T. 1 S. R. 2 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Concrete diversion dam at Spring - open ditch, capacity 30 cfs. - 30 inch steel & wood stave pipeline & syphon across River - open ditches of sufficient capacity - Fairbanks-Morse electric pump for raising water to upper ditch.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12; NE $\frac{1}{4}$, & NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, all in T. 1 S., R. 3 W., B. M. SW $\frac{1}{4}$ NW $\frac{1}{4}$, & N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 6; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Sec. 18; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 19; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27; NW $\frac{1}{4}$ NW $\frac{1}{4}$, & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29; all in T. 1 S., R. 2 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River

Remarks: Entire system in actual operation and crops looking very good.

This examination was made on the

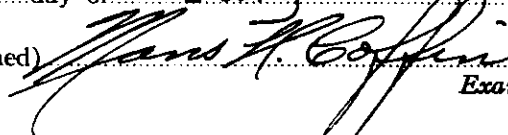
1st

day of

July1935

17062

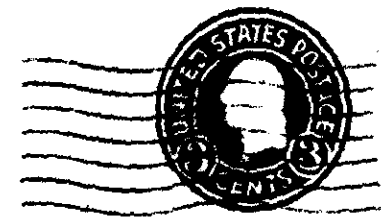
(Signed)



Examiner.

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.

RETURN TO WRITER	
REASON FOR NON-DELIVERY CHECKED	
Unclaimed ☒	
Deceased ☐	
Moved, Left ☐	
No such person ☐	



17067

~~MR. THOMAS MCILLAN~~

~~Malba, Idaho~~

OFFICE OF THE COMMISSIONER OF RECLAMATION

BOISE, IDAHO

IN THE MATTER OF PROTEST AGAINST THE ISSUANCE OF LICENSE UNDER PERMIT TO
APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 17062

Fred Bachman, Fred L. Bachman,
Ray Kennison, Thomas McMillan,
and Oscar C. Simpson,

Protestants,

vs

Reynolds Irrigation District,

Protestees.

DISMISSAL OF PROTEST

TO: Fred Bachman, Fred L. Bachman, Ray Kennison, Thomas McMillan and Oscar
C. Simpson, Melba, Idaho.

WHEREAS, On June 23, 1934, depositions were filed in this depart-
ment by the Reynolds Irrigation District in support of Proof of Completion
of Works and Proof of Application of Water to Beneficial Use; and,

WHEREAS, On June 12, 1934, a joint protest was filed by the above
mentioned parties wherein they made the following allegations:

1. That the source of supply described in said Permit No. 17062, to-
wit, Warm Springs Creek and certain natural springs constituting its source,
does not furnish thirty cubic feet of water per second of time, and the flow
of said creek and springs varies between sixteen and six-tenths cubic feet per
second and twenty cubic feet per second.

2. That applicant, Reynolds Irrigation District, has not applied to
a beneficial use at any time or at all on the lands described in the said
notice more than approximately ten and two-tenths cubic feet of water per
second, measured at the point of diversion, and not more than approximately
six cubic feet per second has been actually applied for irrigation purposes
on the lands described in said notice.

3. That the lands described in said notice have been irrigated for
many years from Reynolds Creek and Snake River, and protestants are informed
and believe and according to their information and belief aver that not to
exceed about four hundred acres of the lands described in said notice have
been actually irrigated from the waters of Warm Springs Creek described in
said Permit No. 17062.

4. That a suit is now pending in the District Court of the Seventh
Judicial District of the State of Idaho, in and for Canyon County, in which
these protestants are plaintiffs and the said Reynolds Irrigation District
and others are defendants, involving the respective rights of all the protest-
ants and said Reynolds Irrigation District in and to the waters of said Warm
Springs Creek and the springs constituting its source; that said case has been
tried and is now awaiting decision, and said suit will determine the respect-
ive rights of protestants and the said Reynolds Irrigation District in and
to said waters.

17062

5. That these protestants hold licenses issued by this Department for water rights established by actual diversion and application to beneficial use on their lands which are tributary to said Warm Springs Creek and cannot be irrigated from any other source except by pumping at heavy expense from Snake River, and said water rights amount in the aggregate to approximately sixteen cubic feet of water per second of time, and when said rights are supplied there is not enough water left to make it economical to carry the remaining water through the pipeline and canal system of said Reynolds Irrigation District.

6. That protestants have additional lands which can be irrigated economically from said Warm Springs Creek and the waters of said creek cannot be diverted from the watershed and transported across Snake River without causing serious damage and injury to protestants.

WHEREAS, On the first day of July, 1935, an engineer from the department of reclamation made a field examination of the works constructed and of the lands being irrigated under said permit as required by law.

WHEREAS, The engineer's report covering his examination shows the works constructed are adequate for diverting and conveying to the place of intended use the quantity of water claimed. It also shows that the waters claimed under said permit have been applied to a total of 1178 acres of the total acreage described in said permit.

WHEREAS, Other questions raised by the protestants are of such a nature that they would require a judicial determination and must be settled by the courts:

NOW, THEREFORE, IT IS HEREBY ORDERED, That said protest be, and the same is, hereby dismissed and that the Certificate of Completion of Works and the License be issued the permit holder upon payment of the fees due, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation at Boise, Idaho, this 18th day of July, 1935.


Commissioner of Reclamation

OFFICE OF THE COMMISSIONER OF RECLAMATION

BOISE, IDAHO

IN THE MATTER OF PROTEST AGAINST THE ISSUANCE OF LICENSE UNDER PERMIT TO
APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 17062

Fred Bachman, Fred L. Bachman,
Ray Kennison, Thomas McMillan,
and Oscar C. Simpson,

Protestants,

vs

Reynolds Irrigation District,

Protestees.

DISMISSAL OF PROTEST

TO: Fred Bachman, Fred L. Bachman, Ray Kennison, Thomas McMillan and Oscar
C. Simpson, Melba, Idaho.

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of Works and Proof of Application of Water to Beneficial Use; and,

WHEREAS, On June 12, 1934, a joint protest was filed by the above
mentioned parties wherein they made the following allegations:

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wit, Warm Springs Creek and certain natural springs constituting its source,
does not furnish thirty cubic feet of water per second of time, and the flow
of said creek and springs varies between sixteen and six-tenths cubic feet per
second and twenty cubic feet per second.

2. That applicant, Reynolds Irrigation District, has not applied to
a beneficial use at any time or at all on the lands described in the said
notice more than approximately ten and two-tenths cubic feet of water per
second, measured at the point of diversion, and not more than approximately
six cubic feet per second has been actually applied for irrigation purposes
on the lands described in said notice.

3. That the lands described in said notice have been irrigated for
many years from Reynolds Creek and Snake River, and protestants are informed
and believe and according to their information and belief aver that not to
exceed about four hundred acres of the lands described in said notice have
been actually irrigated from the waters of Warm Springs Creek described in
said Permit No. 17062.

4. That a suit is now pending in the District Court of the Seventh
Judicial District of the State of Idaho, in and for Canyon County, in which
these protestants are plaintiffs and the said Reynolds Irrigation District
and others are defendants, involving the respective rights of all the protest-
ants and said Reynolds Irrigation District in and to the waters of said Warm
Springs Creek and the springs constituting its source; that said case has been
tried and is now awaiting decision, and said suit will determine the respect-
ive rights of protestants and the said Reynolds Irrigation District in and
to said waters.

17062

5. That these protestants hold licenses issued by this Department for water rights established by actual diversion and application to beneficial use on their lands which are tributary to said Warm Springs Creek and cannot be irrigated from any other source except by pumping at heavy expense from Snake River, and said water rights amount in the aggregate to approximately sixteen cubic feet of water per second of time, and when said rights are supplied there is not enough water left to make it economical to carry the remaining water through the pipeline and canal system of said Reynolds Irrigation District.

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WHEREAS, The engineer's report covering his examination shows the works constructed are adequate for diverting and conveying to the place of intended use the quantity of water claimed. It also shows that the waters claimed under said permit have been applied to a total of 1178 acres of the total acreage described in said permit.

WHEREAS, Other questions raised by the protestants are of such a nature that they would require a judicial determination and must be settled by the courts:

NOW, THEREFORE, IT IS HEREBY ORDERED, That said protest be, and the same is, hereby dismissed and that the Certificate of Completion of Works and the License be issued the permit holder upon payment of the fees due, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation at Boise, Idaho, this 18th day of July, 1935.


Commissioner of Reclamation

17062

May 16, 1935

Re: Permit No. 17062
Reynolds Irrigation District
Hartford Accident & Indemnity Co. Bond No. 797924

CLAUDE R. HIGH INSURANCE AGENCY
Boise,
Idaho

Gentlemen:

In reply to your request of May 13th, please be advised that proof of completion of works, under the above permit, was filed in this department in June, 1934. A short time prior to this date a joint protest was filed by several parties who objected to statements made in the publication preceeding this proof. Furthermore, a law suit was pending in the District Court of Canyon County, whereby it was sought to have these water adjudicated. Consequently, we thought it best to hold the matter of a field examination in abeyance until such time as the court had issued his decree since his determination would take precedence over any decision of the commissioner. Judge Rice made his decision some time in September, 1934, whereby the rights of the parties in question were specifically set out. However, both the plaintiffs and the defendant were dissatisfied with the decision and, as a result, the case is now pending before the Supreme Court awaiting its final disposition.

As we informed the bonding company several months ago, we can take no action with reference to the district's proof of completion of the diversion works until an engineer from this department has made an examination and his report is on file in this office. In other words, when such report is on file, we shall either issue a certificate confirming the completion of the works in whole or in part, or reject the proof, depending upon his findings. Consequently, the bond must remain in full force and effect until final disposition has been made of this matter.

In view of the fact that it will, likely, be several months before the Supreme Court makes its ruling, we have decided to go ahead with the field examination and it will probably be made within the next couple of weeks. Immediately thereafter, we shall communicate with the irrigation district officials with reference to the action taken by the department.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

17062

Claude R. High

CLAUDE R. HIGH AGENCY

General Insurance

FIRE AND AUTO INSURANCE

FIDELITY AND SURETY BONDS

IDAHO'S LARGEST INSURERS OF COMMERCIAL VEHICLES

MEMBERS

IDAHO MOTOR TRANSPORT
ASSOCIATION

IDAHO ASSOCIATION OF FIRE
INSURANCE AGENTS

17062

May 13, 1935

TELEPHONE 1755
NINTH AND IDAHO STREETS
BOISE, IDAHO

RECEIVED

MAY 14 1935

Department of Reclamation

Commissioner of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:

Mr. John E. Keith has filed with you a bond in the
Hartford Accident Indemnity Company No. 797924 cover-
ing a water permit application on Snake River.

We understand that this bond is no longer required,
since the work completed under the application for
permit to transfer water to beneficial use has been
completed. Will you kindly advise us whether or not
renewal of this bond is necessary?

Yours very truly,

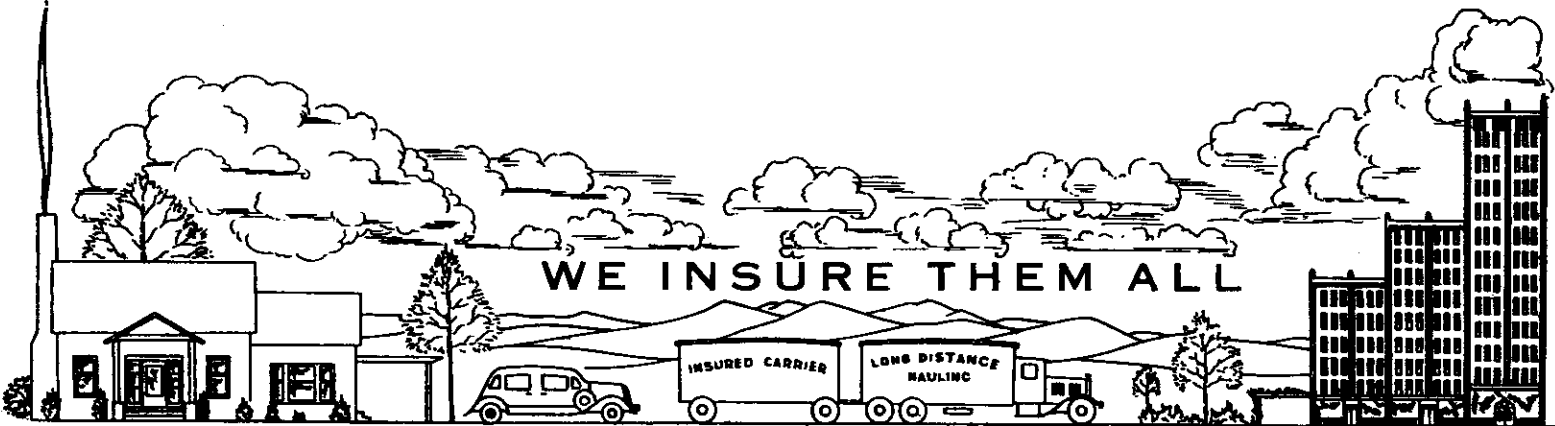
CLAUDE R. HIGH AGENCY

By *Claude R. High*
jm

CRH:MK

17062

WE INSURE THEM ALL



January 15, 1935

Re: Permit No. 17062
Reynolds Irrigation District

HARTFORD ACCIDENT & INDEMNITY CO.
720 California St.,
San Francisco, California

Attention: Mr. Herbert C. Kohlwas

Gentlemen:

Replying to your request of January 8th, please be advised that your file number and the name of the principal on the bond are as follows: Bond No. 797924-John E. Keith-Water Permit Bond- Reynolds Irrigation District.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

Q

Enc.

17062



Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

RECEIVED
JAN 11 1935
DEPARTMENT OF RECLAMATION
JOY LONTENSTEIN
VICE-PRESIDENT
A. C. POSEY
ASSISTANT MANAGER

RECEIVED
JAN 11 1935
FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

January 8, 1935

*Bond no. 797924
C. E. Keith
W. B. L. Reynolds*

Mr. R. W. Faris, Commissioner
State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Paul T. Henry

Gentlemen:

Re: Permit No. 17062
Reynolds Irrigation District

We have received your letter of January 5 in reply to our communications of December 20 and December 21. However, as you did not give us our file number or the name of the principal on the bond, we are unable to locate our correspondence on this matter. Will you be kind enough to forward us the necessary information?

Thank you for your further courtesy.

Yours very truly,

Herbert C. Kohlwes
Asst. Superintendent
Surety Department

17062



January 5, 1935

Re: Permit No. 17062
Reynolds Irrigation District

HARTFORD ACCIDENT & INDEMNITY COMPANY
720 California Street,
San Francisco, California

Attention: Mr. Herbert C. Kohlwe

Gentlemen:

In reply to your letters of December 20th and December 21st, we wish to advise that the situation with reference to the bond under the above permit is no different than when we last corresponded with you.

At that time we informed you that while both proofs, as required by law, had been offered under this permit, a protest had been filed by several parties objecting to the statements made in the proofs and no action could be taken until such time as a field examination could be made by a representative of this office. This examination has not been made for the reason that the case has been in litigation in the District Court of Canyon County and this office has been holding the matter in abeyance awaiting the court's decision. It will likely be some little time before we will know just what will be done with reference to the proofs and as we previously informed you, the bond must remain in full force until such time as proof of completion of works has been accepted and a certificate issued thereunder or until it has been rejected and the permit cancelled.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17062

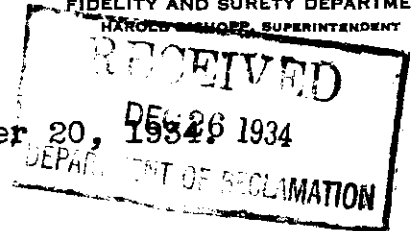


Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

JOY LICHTENSTEIN
VICE-PRESIDENT
A. C. POSEY
ASSISTANT MANAGER

FIDELITY AND SURETY DEPARTMENT
HAROLD E. MOORE, SUPERINTENDENT



December 20, 1934

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Bond No. 797924 - John E. Keith -
Water Permit Bond - Permit No. 17062
Reynolds Irrigation District.

As surety on the above captioned bond on behalf of John E. Keith, we would be interested in having your advices as to what procedure is necessary to secure our release. Will you please, therefore, be so kind as to advise us in this respect at your early convenience.

Thank you for this courtesy.

Yours very truly,

Herbert C. Kohlwe
Rf.

Herbert C. Kohlwe
Asst. Superintendent
Surety Department.

HCK:RJ

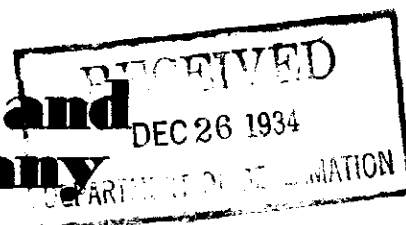
17062





Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA



JOY LICHTENSTEIN
VICE-PRESIDENT
A. C. POSEY
ASSISTANT MANAGER

FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

December 21, 1934.

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Bond No. 797924 - John E. Keith -
Water Permit Bond - Permit No. 17062
Reynolds Irrigation District.

Further to our letter of December 20, we are now in receipt of a communication from Mr. Keith indicating that the Water Permit was transferred to The Reynolds Irrigation District some time ago, and also that the Water Right has been completed and proof made. We accordingly assume that it is now in order to terminate our bond, and will appreciate a letter from you confirming our understanding in this respect.

Thank you.

Yours very truly,


Herbert C. Kohlwees
Asst. Superintendent
Surety Department.

HCK:RJ

17062



September 5, 1934

Re: Permit No. 17062
Reynolds Irrigation District Bond No. 797924-John E. Keith

HARTFORD ACCIDENT & INDEMNITY CO.,
720 California St.,
San Francisco, Calif.

Gentlemen:

We are enclosing herewith office receipt in the amount of \$1.50
which was the fee due in connection with copy of protest filed under the
above numbered permit.

Very truly yours,

R. W. DAVIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

G
Encl.

17062



Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

JOY LICHTENSTEIN
VICE-PRESIDENT

August 31, 1934.

R. W. Faris, Commr. of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:
Att'n. Paul L. Henry, Chief Clerk & Ofc. Engr.

Re: Bond No. 797924--John E. Keith-
Water Permit Bond

In accordance with the request contained
in your letter of August 24th we enclose our check in the
amount of \$1.50 to cover the cost of copy of Protest.

Very truly yours,

J. Mullaney

Surety Department.

fm/
Encl.

17062



August 24, 1934

Re: Permit No. 17062
Reynolds Irrigation District
Bond No. 797924, John E. Keith

HARTFORD ACCIDENT AND INDEMNITY CO.
720 California Street,
San Francisco, Calif.

Gentlemen:

Reference is made to your letter of August 15th in which you request to be advised as to the exact nature of the protests that have been filed in connection with the proofs under the above permit.

For your information we are submitting herewith a copy of the protest which, in reality, constitutes a number of protests since, as you will note, it has been signed by several parties.

Please remit \$1.50 for this copy.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl.

17062

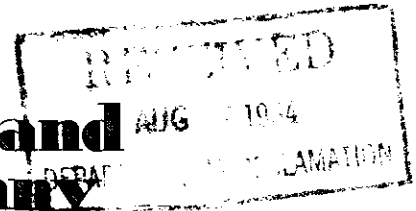


Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

JOY LICHTENSTEIN
VICE-PRESIDENT



August 15, 1934.

State of Idaho,
Department of Reclamation,
Boise, Idaho.

Gentlemen:

Re: Permit No. 17062 - Reynolds Irrigation District - Bond No. 797924 -
John E. Keith.

Thank you for your letter of August 9, with regard to the status of this Water Permit Bond.

We wonder if you could advise us as to the exact nature of the three or four protests that have been filed in this matter. Thank you.

Yours very truly,

Herbert C. Kohlwes
Asst. Superintendent
Surety Department.

HCK:RJ

17062



August 9, 1934

Re: Permit No. 17062
Reynolds Irrigation District

Bond #797924 - John E. Keith

Hartford Accident and Indemnity Company
720 California St.,
San Francisco, Calif.

Attention: Mr. R. Retallick

Dear Sir:

In reply to your letter of August 1st, we wish to advise that a certificate of completion of works has not, as yet, been issued under the above permit and it will probably be several months before the certificate will be issued, if at all. This is true for several reasons, in the first place three or four protests have been filed against the proof, in the second place the law provides that a field examination must be made by an engineer of this department before any action can be taken one way or the other. Consequently, the matter is, at present, being held up awaiting the field examination. The department has but one man who makes these examinations all over the state and he must utilize all the time available during the time of the year when it is possible for him to travel and as a result the reports will not be written until the winter months.

Trusting that the foregoing will explain our position in the matter, we are

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

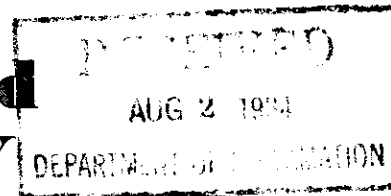
PLH:RO

17062



Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT 720 CALIFORNIA STREET
SAN FRANCISCO CALIFORNIA



FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

JOY LICHTENSTEIN
VICE-PRESIDENT

August 1, 1934

State of Idaho
Department of Reclamation
Boise, Idaho

Attention: Mr. Paul L. Henry

Dear Sir:

Re: Bond #797924 - John E. Keith
Permit No. 17062 - Reynolds
Irrigation District

With reference to your letter of June 23, if certificate of completion of works has now been issued, we would appreciate your giving us a letter that it has been issued and the bond will no longer be required.

Thank you for your further cooperation.

Yours very truly,

R. Retallick

R. Retallick
Surety Department

R/R

17062



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Canyon,

ss.

J. T. LaFond, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Editor of the IDAHO FREE PRESS, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given, that at two o'clock P. M. on the 20th day of June, 1934, at the office of John P. Gray, in Melba, County of Canyon, State of Idaho, before John P. Gray, a notary public, proof will be submitted of the completion of works for the diversion of thirty (30) cubic feet per second of the waters of Warm Springs Creek, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 17062, heretofore issued by the Commissioner of Reclamation of the State of Idaho, to John E. Keith, and transferred to Reynolds Irrigation District.

1. The name and postoffice address of the person or corporation, holding said permit, is Reynolds Irrigation District, an irrigation district, located in Owyhee county, State of Idaho.
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is thirty (30) cubic feet per second.
3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is thirty (30) cubic feet per second.
4. The place where said water is used is described in the following tabulation:

and in the vicinity of Nampa, and has been uninterrupted during a period of seventy-eight consecutive publications of the notice, a copy of which of which the annexed is a printed copy, was published four times in each issue of said paper, and was printed in the newspaper as a supplement.

was published the following dates:

and 26, 1934

and 9, 1934.

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	NE 1/4 SW 1/4	SE 1/4	NE 1/4	NW 1/4	NW 1/4 SW 1/4	SE 1/4	NE 1/4	NW 1/4	NW 1/4 SW 1/4	SE 1/4	NE 1/4	NW 1/4	NW 1/4 SW 1/4	SE 1/4	Totals
1S	3W	11	20	20			20												65
		12							40	20	40	35		5	35		5	40	290
		13	40	40	10	35	35.5	15.75					44.35	30.6	37.2				141.6
	2W	6																	112.15
		17																	15
		18			35	30	35	39	38.8	40	40	30.55		15	38.2	20	40	40	456.55
		19	30	6															35
		20		10	22	20	25	38	35	35	25		4	16		40	40	20	365
		21																	20
		27											25						25
		28																	75
		29	35																35
Total number of acres to be irrigated																			1636.3

5. The source of supply from which said water is diverted is natural springs, supplying Warm Springs Creek, and owned by, and upon land owned by, the holder of said Permit No. 17062.

6. The date of priority which said user is prepared to establish is March 8, 1929.

R. W. FARIS,
Commissioner of Reclamation.
M19-26 J2-9

Subscribed and sworn to before me this 16th day

July, 1934.

Charlotte Engstad
Notary Public, Residing at Nampa, Idaho.

My Commission Expires Mar. 19, 1935

17062

RECLAMA

SS.

17062

July 12, 1934

Re: Permit No. 17062
Reynolds Irrigation District

MR. JOHN E. KEITH
Melba,
Idaho

Dear Sir:

Several days ago Mr. Griffith's of Caldwell mailed depositions, which were executed on the 20th day of June, in support of completion of works and also proof of application of water to beneficial use under the above permit.

The affidavit of publication from the Owyhee Chronicle of Homedale, Idaho, did not accompany these papers. Upon communicating with the Editor of the newspaper we were advised that proof of publication was furnished to you several weeks ago. Since the law requires that this affidavit be filed, in any instance where a publication is required, it would be very much appreciated if you would forward it to us at your earliest convenience.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17062

July 10, 1934

Re: Permit No. 17062
Reynolds Irrigation District

MR. WALTER GRIFFITHS, Attorney
Caldwell,
Idaho

Dear Sir:

Depositions for proof of completion of works and also in support of proof of application of water to beneficial use, executed before John P. Gray, Notary Public, Melba, Idaho, on June 20th, 1934, were received in this office under date of June 23rd.

Several days before the date of receipt of these papers a protest was filed over the signatures of the following persons or their attorneys: Fred Bachman, Fred L. Bachman, Ray Kenison, Thomas McMillan and Oscar C. Simpson, wherein they allege the following:

First, that the source of supply described in said Permit No. 17062 does not furnish 30 cubic feet per second and the flow of said creek and springs varies between 16.6 and 20 cubic feet of water per second of time.

Second, that Reynolds Irrigation District has not applied to beneficial use, at any time or at all, on the lands described in said notice, more than approximately 10.2 cubic feet of water per second, measured at the point of diversion.

Third, that the lands described in said notice have been irrigated for many years from Reynolds Creek and Snake River and protestants are informed and believe that not to exceed 400 acres of land have actually been irrigated with the water from Warm Springs Creek.

Fourth, that a suit is now pending in the District Court of the Seventh Judicial District involving all the rights of all the protestants and said Reynolds Irrigation District to the water in question.

Fifth, that these protestants hold licenses issued by this department aggregating in amount approximately 16 cubic feet of water per second of time and when said rights are supplied there is not enough water left to make it economical to carry the remainder of such water through the pipe line and canal system of the Reynolds Irrigation District.

Sixth, that said protestants have additional lands that can be irrigated economically from said Warm Springs Creek and the water of said creek cannot be

17062

#2, Mr. Walter Griffiths, Caldwell, Idaho

7/10/34

diverted from the watershed and transported across the Snake River without causing serious damage and injury to protestants.

In view of the suit now pending in court and also of this protest, action on this matter by the department has been delayed awaiting the decision of the court since his judgment would take precedent over any determination of the Commissioner of Reclamation. However, a field examination will be made, at a later date, by an engineer from this department and a decision will be made, after a careful study of the proofs, the protest and the field engineer's report.

Very truly yours,

R. W. FARRIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

cc-Davison & Davison, Attorneys, Boise, Idaho, Richards & Haga, Attorneys, Boise, Idaho, and Fred Baehman, Melba, Idaho.

17062



C. BEN ROSS, GOVERNOR

BUREAU OF WATER RESOURCES
MANS H. COFFIN
DIRECTOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
R. W. FARIS, COMMISSIONER
BOISE

July 10, 1934

Re: Permit No. 17062

EDITOR, OWYHEE CHRONICLE
Homedale,
Idaho

Dear Sir:

Several weeks ago you made a publication for the Reynolds Irrigation District in connection with proof of completion of works and also proof of application of water to beneficial use under the above permit. This publication was completed prior to June 20th but to date we have not received an affidavit of publication. Perhaps you have furnished Mr. Keith or some one else with this affidavit or, on the other hand, it may be you have not received your fee for the publication. At any rate, it will be very much appreciated if you will communicate with this office and advise us as to the situation.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By Paul L. Henry
Chief Clerk & Office Engr.

PLH:RG

Mr. Henry:

I furnished Mr. J. E. Keith, Melba, with the proof of publication. Should this not be sufficient kindly advise me and I can furnish one for your office although I have not yet received the publication fee.

Yours truly,

Ed. L. Cronin
Ed. L. Cronin

17062

July 10, 1934

Re: Permit No. 17062

EDITOR, OWYHEE CHRONICLE
Homedale,
Idaho

Dear Sir:

Several weeks ago you made a publication for the Reynolds Irrigation District in connection with proof of completion of works and also proof of application of water to beneficial use under the above permit. This publication was completed prior to June 20th but to date we have not received an affidavit of publication. Perhaps you have furnished Mr. Keith or some one else with this affidavit or, on the other hand, it may be you have not received your fee for the publication. At any rate, it will be very much appreciated if you will communicate with this office and advise us as to the situation.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

July 3, 1934

Re: Permit No. 17062
Reynolds Irrigation District

MR. R. RETALLICK
Hartford Accident & Indemnity Co.
720 California St.,
San Francisco, Calif.

Dear Sir:

We have your letter dated June 26th in which you request to be advised as to the principal under the bond executed in connection with the above permit and also your number of such bond. An examination of the records shows that John E. Keith of Melba, Idaho, is principal to the bond with the Hartford Accident and Indemnity Co. as surety. Claude R. High, as Attorney-in-fact, executed the bond for the company.

We are unable to give you your filing number for the bond since it is not shown on our records.

We trust that this information will suffice for your purpose.

Very truly yours,

R. E. PARIS
Commissioner of Reclamation

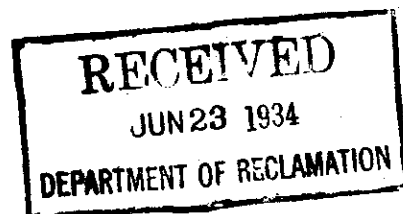
By _____
Chief Clerk & Office Engr.

PLH:RG

17062

WALTER GRIFFITHS
LAWYER
WESTERN BUILDING
CALDWELL, IDAHO

June 22nd., 1934



Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho

Dear Mr. Faris:

I am inclosing herewith the proofs of completion of works and the proofs of application of water to beneficial use, for the Reynolds Irrigation District, the present holder of Permit No. 17062.

Respectfully,

Walter Griffiths

WG/MH
Incls.

17062

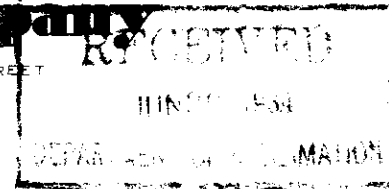


Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

JOY LICHTENSTEIN
VICE-PRESIDENT



June 26, 1934

Mr. R. W. Faris
Commissioner of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 17062
Reynolds Irrigation Dist.

Dear Sir:

We greatly appreciate your replying to our letter of June 16th. However, inasmuch as you did not give us our bond number or the name of the principal, we are unable to locate the file pertaining to this matter.

Will you be kind enough to forward this information. Thank you for your further cooperation.

Yours very truly,

R. Retallick

R. Retallick
Surety Department

R/R

17062



June 23, 1934

Re: Permit No. 17062
Reynolds Irrigation District

HARTFORD ACCIDENT and INDEMNITY CO.
720 California St.,
San Francisco, Calif.

Attention: Mr. R. Retallick

Dear Sir:

In reply to your letter dated June 16, 1934, we wish to advise you that this department has no authority to release a bond. This is in accordance with a recent opinion from the Attorney General's office.

Proof of completion of works should have been made under this permit on June 20th. However, to date we have not received these papers and, consequently, are not aware as to whether or not the proof was made. In the event that it was a field examination must be made before any action can be taken by this department. Upon receipt of the field engineer's report a certificate of completion of works can be issued immediately upon payment of the statutory fee due in connection with this matter.

After this certificate has been issued, presuming that it will be issued, we can give your company a letter to the effect that the certificate has been issued and in our opinion the bond would no longer be required but we can do nothing until that time.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17062



Hartford Accident and Indemnity Company

PACIFIC DEPARTMENT, 720 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA

FIDELITY AND SURETY DEPARTMENT
HAROLD BISHOPP, SUPERINTENDENT

JOY LICHTENSTEIN
VICE-PRESIDENT

June 16, 1934

Commissioner of Reclamation
State of Idaho
Boise, Idaho

Dear Sir:

Re: Bond #797924 - John E. Keith
Water Permit Bond

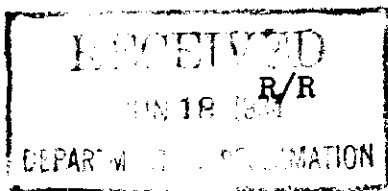
We have been advised that this bond will not be needed for the 1934-35 term. We would accordingly appreciate your authorizing the termination of this bond as of May 5, 1934, its anniversary date. An envelope is enclosed for your reply.

Thank you for this courtesy.

Yours very truly,

R Retallick

R. Retallick
Surety Department



17062



PROOF OF PUBLICATION

State of Idaho

ss.

County of Owyhee

I, R. H. Colley, being first duly sworn, depose and say that I am the publisher of the OWYHEE CHRONICLE, a newspaper of general circulation, published at Homedale, Owyhee county, Idaho, and that the attached notice was published in said newspaper once

each week, and every week for 11 weeks, inclusively and

consecutively, the first publication being on the 24th day of

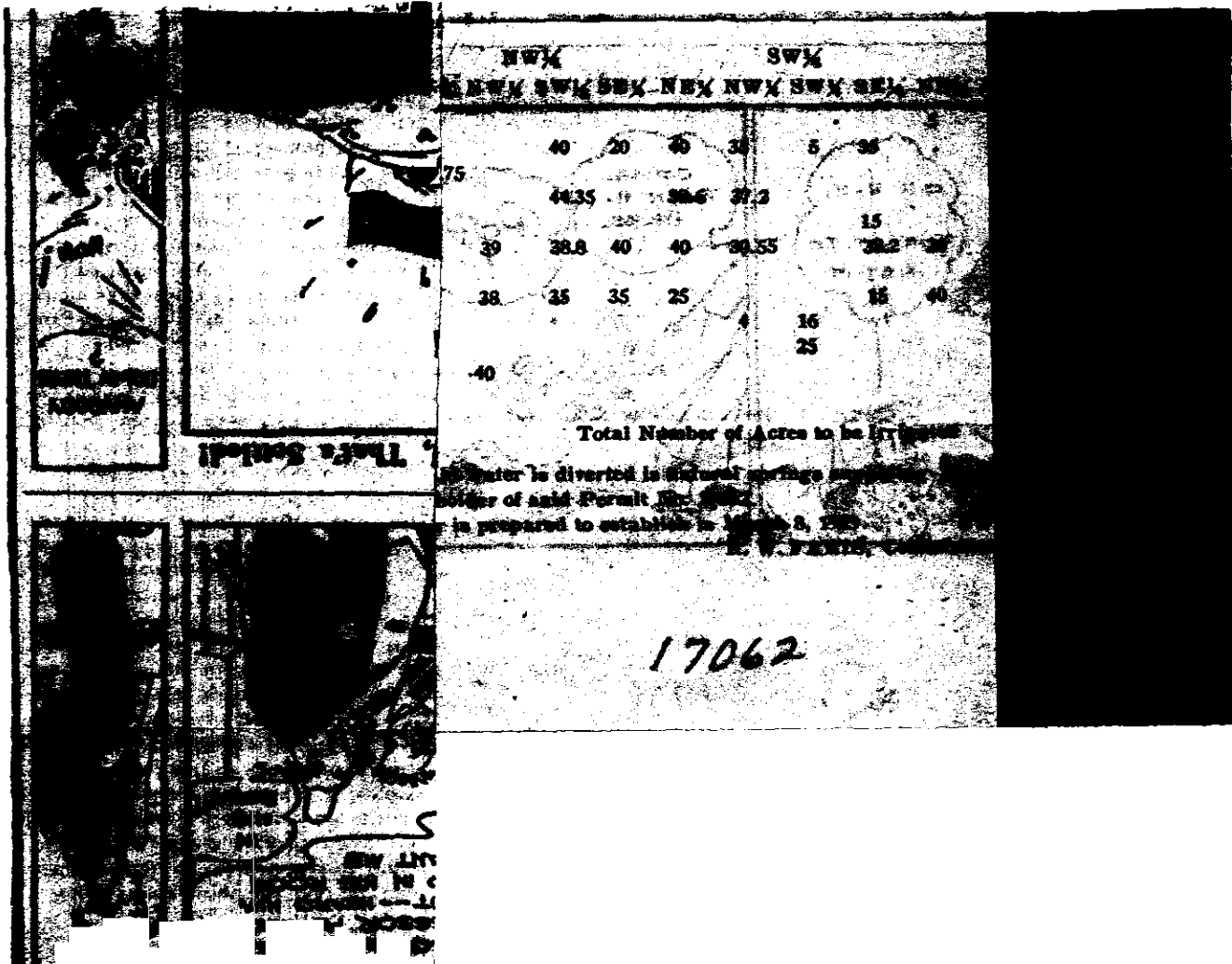
May, 1934, the last publication being on the 14th day of June, 1934.

Also that the OWYHEE CHRONICLE has been published continuously and uninterruptedly in said county for a period of 78 consecutive weeks prior to the first publication of attached notice.

R. H. Colley Publisher.

Subscribed and sworn to before me, a notary public in and for the State of Idaho, this 14th day of June, 1934.

B. B. Hargis Notary.



Notice Of Proof Of Completion Of Works And Application Of Water To Beneficial Use.

Notice is hereby given, that at two o'clock P. M. on the 20th day of June, 1934, at the office of John P. Gray, in Melba, County of Canyon, State of Idaho, before John P. Gray, a Notary Public, proof will be submitted of the completion of works for the diversion of thirty (30) cubic feet per second of the waters of Warm Springs Creek, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 17062, heretofore issued by the Commissioner of Reclamation of the State of Idaho, to John E. Keith, and transferred to Reynolds Irrigation District.

1 The name and postoffice address of the person or corporation, holding said permit, is Reynolds Irrigation District, an irrigation district, located in Owyhee County, State of Idaho.

2 Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is thirty (30) cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use thirty (30) cubic feet per second.

4. The place where said water is used is described in the following tabulation:

				NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
T	R.	Sec		NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	3W	11	20	20				20								5				65
		12							40	20	40	35	5	35			40	40	35	290
		13	40	40	10.35	35.5	15.75													141.6
	2W	6							44.35		30.6	37.2								112.15
		17												15						15
		18				35	30	35	39	38.8	40	40	30.55		38.2	20	40	40	20	455.55
		19	30	6																36
		20			10	22	20	25	38	35	35	25			15	40	40	20	40	200
		21											4	16						20
		27												25						25
		28						40												40
		29	35																	35

Total Number of Acres to be Irrigated

5. The source of supply from which said water is diverted is natural springs supplying Warm Springs Creek, owned by, and upon land owned by, the holder of said Permit No. 17062.

6. The date of priority which said user is prepared to establish is March 8, 1929.

5-24-6-14

R. W. FARIS, Commissioner of Reclamation.

17062

RECEIVED
JAN 10 1962

BEFORE THE DEPARTMENT OF RECLAMATION, STATE OF IDAHO

In the Matter of the Proof of
Application to Beneficial Use
By Reynolds Irrigation District
Under Permit No. 17062.

} PROTEST.

Come now Fred Bachman, Fred L. Bachman, Ray Kennison, Thomas McMillan and Oscar C. Simpson and protest against the proof of application of water to beneficial use under Permit No. 17062 by Reynolds Irrigation District and against the issuance of a license under said permit in accordance with the statements contained in the notice of proof of application of water to beneficial use under said permit, and for cause of such protest these protestants make and file the following statement:

1. That the source of supply described in said Permit No. 17062, to-wit, Warm Springs Creek and certain natural springs constituting its source, does not furnish thirty cubic feet of water per second of time, and the flow of said creek and springs varies between sixteen and six-tenths cubic feet per second and twenty cubic feet per second.

2. That applicant Reynolds Irrigation District has not applied to a beneficial use at any time or at all on the lands described in the said notice more than approximately ten and two-tenths cubic feet of water per second measured at the point of diversion, and not more than approximately six cubic feet per second has been actually applied for irrigation purposes on the lands described in said notice.

3. That the lands described in said notice have been irrigated for many years from Reynolds Creek and Snake River, and protestants are informed and believe and according to their

information and belief aver that not to exceed about four hundred acres of the lands described in said notice have been actually irrigated from the waters of Warm Springs Creek described in said Permit No. 17062.

4. That a suit is now pending in the District Court of the Seventh Judicial District of the State of Idaho, in and for Canyon County in which these protestants are plaintiffs and the said Reynolds Irrigation District and others are defendants, involving the respective rights of all the protestants and said Reynolds Irrigation District in and to the waters of said Warm Springs Creek and the springs constituting its source; that said case has been tried and is now awaiting decision, and said suit will determine the respective rights of protestants and the said Reynolds Irrigation District in and to said waters.

5. That these protestants hold licenses issued by this Department for water rights established by actual diversion and application to beneficial use on their lands which are tributary to said Warm Springs Creek and cannot be irrigated from any other source except by pumping at heavy expense from Snake River, and said water rights amount in the aggregate to approximately sixteen cubic feet of water per second of time, and when said rights are supplied there is not enough water left to make it economical to carry the remaining water through the pipeline and canal system of said Reynolds Irrigation District.

6. That protestants have additional lands which can be irrigated economically from said Warm Springs Creek and the waters of said creek cannot be diverted from the watershed and transported across Snake River without causing serious damage and injury to protestants.

17062

WHEREFORE, Protestants respectfully pray that the issuance of a license to said Reynolds Irrigation District under said Permit No. 17062 be denied; that no action be taken with reference to the granting of said license until final judgment in the suit now pending in Canyon County in which these protestants are plaintiffs and Reynolds Irrigation District and others are defendants, and that in any event the amount of water available from said source of supply and the prior right of these protestants be determined before any license is issued, and that in the event a license should hereafter issue on said permit that said Reynolds Irrigation District be limited to any surplus water over and above the rights of these protestants found to exist in said source of supply and to the portion thereof actually applied to a beneficial use.

Frederick J. Johnson

G. L. Bachman

RAY KENNISON

By *Davidson Davidson*
His Attorneys.

THOMAS McMILLAN

OSCAR C. SIMPSON

By *Richard H. Hogg*
Their Attorneys.

STATE OF IDAHO,)
County of Ada,)^{ss.}

Fred Bachman, being first duly sworn, on his oath deposes and says that he is one of the above named protestants and makes this verification on behalf of all of said protestants; that he has read the above and foregoing protest and knows the contents thereof and that he believes all the facts therein stated to be true and correct as he verily believes.

Fred Bachman

Subscribed and sworn to before me this 12th day of
June, 1934.

W.H. Davison
Notary Public for Idaho,
residing at Boise, Idaho.

17062

Form 14

The Depositions of two witnesses, in this form, taken separately, required in each case.

Permit No. 17,062

PROOF OF COMPLETION OF WORKS--DEPOSITION OF WITNESS.

Ques. 1 State your name, residence, occupation and postoffice address.

Ans. J. F. Mitchell, age 29 years. Wilson, Owyhee County, State of Idaho.

Ques. 2. Are you acquainted with Reynolds Irrigation District, the holder of Permit No. 17,062, authorizing the diversion of thirty second-feet of the waters of Walters Butte Springs, and Warm Springs Creek, at the south side of said springs near the southwest corner of the Northwest quarter of the Northwest quarter of Section 10, Township 1 South, Range 2 West from the Boise Meridian, in Canyon County, Idaho, for irrigation purposes? How long have you known said permit holder?

Ans. 2 I have known the Reynolds Irrigation District ever since its organization, and I have known John E. Keith, President, of the Board of Directors of said District, for the last 17 years. The said District and its President are both located on the south side of Snake River, at Wilson, in Owyhee County, State of Idaho, near the Walters Butte Bridge.

Ques. 3 Have you read or heard read said Permit No. 17,062, and are you familiar with its terms and conditions?

Ans. 3 Yes.

Ques. 4 (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 4 I am acquainted with the land proposed to be irrigated under said permit and the same comprise about 1650 acres and is composed of lava ash soil and the said land will require thirty second-feet of water for its profitable and successful cultivation.

Ques. 5 Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. 5 Yes.

Ques. 6 Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. 6 The works comprise a diversion dam of earth and sheet piling 10 feet in height and 200 feet in length on the top; located on the south side of Walters Butte Springs near the southwest corner of the Northwest quarter of the Northwest quarter, Section 10, Township 1 South, Range 2 West from the Boise Meridian, in the County of Canyon, State of Idaho; and a concrete gate four feet in width and open ditch and wood stave and metal pipes more than 3 miles in length and with a carrying capacity in excess of 30 second-feet of water.

167062

(Signed) *[Signature]*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *[Signature]* County of Canyon, State of Idaho, on this 20th day of *[Signature]* A.D. 1934.

John H. Tracy

My Commission Expires Apr. 20 - 1937.

The Depositions of two witnesses, in this form, taken separately required in each case.

Permit No. 17,062

PROOF OF COMPLETION OF WORKS--DEPOSITION OF WITNESS

Ques. 1 State your name, residence, occupation and post-office address.

Ans. 1 Robert Lee Bailey, 67, Wilson, Owyhee County, Idaho.

Ques. 2 Are you acquainted with Reynolds Irrigation District, the holder of Permit No. 17,062, authorizing the diversion of thirty second-feet of the waters of Walters Butte Springs, and Warm Springs Creek, at the south side of said springs near the southwest corner of the Northwest quarter of the Northwest quarter of Section 10, Township 1 South, Range 2 West from the Boise Meridian, in Canyon County, Idaho, for irrigation purposes? How long have you known said permit holder?

Ans. 2 I have known the Reynolds Irrigation District ever since its organization, and I have known John E. Keith, President, of the Board of Directors of said District, for the last 17 years. The said District and its President are both located on the south side of Snake River, at Wilson, in Owyhee County, State of Idaho, near the Walters Butte Bridge.

Ques. 3 Have you read or heard read said Permit No. 17,062, and are you familiar with its terms and conditions?

Ans. 3 Yes.

Ques. 4 (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same state its character, and give your estimate of the amount of water required for its profitable and successful cultivation.

Ans. 4 I am acquainted with the land proposed to be irrigated under said permit and the same comprise about 1650 acres and is composed of lava ash soil and the said land will require 30 second-feet of water for its profitable and successful cultivation.

Ques. 5 Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. 5 Yes.

Ques. 6 Describe the works of diversion as they now exist and give your estimate of their capacity.

Ans. 6 The works comprise a diversion dam of earth and sheet piling 10 feet in height and 200 feet in length on the top. Located on the south side of Walters Butte Springs near the southwest corner of the Northwest quarter of the Northwest quarter, Section 10, Township 1 South, Range 2 West from the Boise Meridian, in the County of Canyon, State of Idaho. And a concrete gate four feet in width and open ditch and wood stave and metal pipes more than three miles in length and with a carrying capacity in excess of thirty second-feet of water.

167062

(Signed) Robert Lee Bailey

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said ~~testimony~~ was subscribed and sworn to before me, at my office in ~~Idaho~~ County of Canyon, State of Idaho, on this 10th day of ~~April~~, A.D. 1934.

John C. Gray

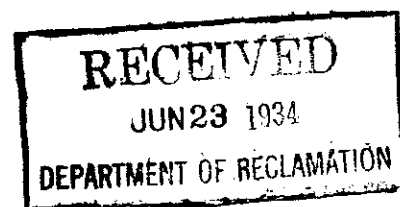
My Commission Expires Apr. 20-1937

167062

PERMIT NO. 17,062.

PROOF OF COMPLETION OF WORKS

DEPOSITION OF HOLDER



Ques. 1. State your name, residence, occupation and post-office address.

Ans. John E. Keith. Wilson, Owyhee County, Idaho. Farmer and stock raiser, Melba, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Reynolds Irrigation District, a municipal corporation namely, an irrigation district located wholly within Owyhee County, State of Idaho on the South side of Snake River at the South end of Walters Butte bridge. I am a member and president of the Board of Directors of Reynolds Irrigation District and have been duly authorized by the Board to appear in behalf of the district in this matter.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. The number of permit is 17,062 dated March 8, 1929 and approved March 12, 1929. The amount of water authorized under said permit is 30-second-feet and the source of supply is Natural Springs known as Walters Butte Springs located in the SW¹/₄ of the NW¹/₄ of the NW¹/₄ of Sec. 10 in T. 1 S R 2 W from Boise Meridian in Canyon County, State of Idaho. And the point of diversion is on the south side of said springs.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Water is to be used for irrigation purposes upon 1650 acres of land located within the boundaries of Reynolds Irrigation District in Owyhee County, State of Idaho, and the description of the land intended to be reclaimed with the use of said water is contained in the following tabulation.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes, the water has been turned into the said works of diversion on March _____ 1934.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes, the works of the diversion are fully completed and comply in all respects with the terms of said permit.

17062

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. There is no variance between the works as constructed and the works as described in the permit.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. The works comprise a diversion dam of earth and sheet piling 10 feet in height and 200 feet in length on the top. Located on the South side and below the said Walters Butte Springs near the South line at the SW $\frac{1}{4}$ of the said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 10 in T. 1 S R. 2 W from the Boise Meridian in Canyon County, State of Idaho. With a concrete gate ~~4~~ feet in width and an open ditch 3 feet wide on the bottom and more than $8\frac{1}{2}$ feet wide at the water line with a depth of more than $2\frac{1}{2}$ feet of water, built on a grade of 6.8 feet per mile and wood stave and metal pipes 42 and 36 inches in diameter. The ditch and pipe system is approximately 3 miles in length. The said works have a carrying capacity of more than 30-second-feet of water throughout the entire system and cost in excess of \$60,000.00.

(Signed) John. E. Keith
President of the Board of Directors
of Reynolds Irrigation District.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Melba, County of Canyon, State of Idaho, on the 20th day of June A.D. 1934.

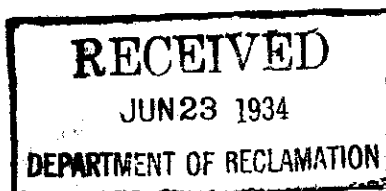
John B. Gray
Notary Public.

My Commission expires

Apr 20-1937

17062

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 17,062

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Ques. 1. State your name, residence, occupation and post-office address.

Ans. John E. Keith. Wilson, Owyhee County, Idaho. Farmer and stock raiser, Melba, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Reynolds Irrigation District, a municipal corporation namely, an irrigation district located wholly within Owyhee county, State of Idaho on the South side of Snake River at the South end of Walters Butte bridge. I am a member and president of the Board of Directors of Reynolds Irrigation District and have been duly authorized by the Board to appear in behalf of the district in this matter.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Number of permit is 17,062, dated March 8, 1929 and approved March 12, 1929. Date priority claim for March 12, 1929.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is Natural Springs located in the South ~~W₂ of~~ the NW₄ of the NW₄ of Sec. 10 in Township 1 South of Range 2 West of Boise Meridian in Canyon County, State of Idaho and the point of diversion is located at the south side of said springs and near the South boundary line of said subdivision. The name of said springs as now known is Walters Butte Springs and were formerly known as McQuat *springs*.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

1706 2

Ques. 5.

Answer. Works comprise a diversion dam, ~~but~~ of earth and sheet piling 10 feet in height and 200 feet long on top, an open ditch and wood stave and metal pipe 42 and 36 inches in diameter, and approximately 3 miles in length, capable of carrying and delivering to the land within the boundary of said district 30-second-feet of water, the name of the system is Reynolds Irrigation System.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation purposes upon the lands within the boundary of Reynolds Irrigation District, a detailed description is contained in the following tabulation showing each subdivision and the number of acres in each subdivision that have actually been irrigated, all of which have been cleared of brush, levelled and cultivated and have had ditches and laterals constructed sufficient to carry and distribute the water to all portions of said lands sufficient for the successful irrigation of the same.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Water is used for no other purpose than irrigation of said lands except small portions for domestic purposes.

Quest 8. What is the minimum amount of water required for the purpose specified above?

Ans. 30-Second-feet continuous flow during the irrigating season and for one or two months immediately preceeding the irrigating season each year.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person to whom the above mentioned permit was originally issued and I convey said permit and rights thereunder to Reynolds Irrigation District by assignment and by Warranty Deed.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water was diverted from said springs under said permit beginning on March _____, 1934 in the amount of something over 800 miners inches or 16- second-feet which was the entire flow from said springs during said time. That said water was so diverted and carried to and used upon the lands within district by means of the said works and irrigation system.

160 17062

Ques. 11. State when, how in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Reynolds Irrigation District has a right to divert water for irrigation purposes upon said lands from what is known as Reynolds Creek. That the flow from said Reynolds Creek supplies water for irrigation purposes upon said lands only during a short period in the beginning of the irrigation season and not later than about June 1 to 15 of each year. That the flow from Reynolds Creek is very uncertain, irregular and never lasts throughout the season and frequently fails to supply any water during any part of the season. That during the present season no water what ever has been supplied or could possibly have been secured from Reynolds Creek for the reason that there has been no flow in, Reynolds Creek during the present irrigating season.

(Sign) John L. Keith

President of the Board
of Directors,

Reynolds Irrigation District.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Melba, County of Canyon, State of Idaho, on this 20th day of June, A.D. 1937.

John P. Grey

Notary Public at Melba, Idaho.

My commission expires

Apr. 20-1937.

T.	R.	S.	NE ¹ ₄	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	NE ¹ ₄	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	NE ¹ ₄	NW ¹ ₄	SW ¹ ₄	SE ¹ ₄	Totals
1	3														
S	W	11												5	5
		12		30	37	20	30	35.5	5	35	20	40	40		292.50
		13	40	40	10	36	15							5	146.00
TOTAL,															443.50
1	2														
S	W	6			33		30	37.07							100.07
		17									15				15.00
		18		37	35	31	39	38.80							
					40	40		30	5	38	35	40	40	35	483.80
		19	30	6											36.00
		20	8	22	20	35	35	35	35	27		3	40	40	380.00
		21							10	30					40.00
		27								28.9					28.9
		28			40	10								39.1	89.1
		29	40												40.00
TOTAL,															1212.87
GRAND TOTAL,															1656.37
TOTAL NUMBER OF ACRES TO BE IRRIGATED,															1656.37

5. The source of supply from which said water is diverted is natural springs, supplying Warm Springs Creek, and owned by, and upon land owned by, the holder of said Permit No. 17062.

6. The date of priority which said user is prepared to establish, is March 12th., 1929.

REYNOLDS IRRIGATION DISTRICT

By John E. Keith

17062

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17,062.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and post-office address.

Ans. J. F. Mitchell, age 29 years, Wilson, Owyhee County, State of Idaho.

Ques. 2. Are you acquainted with ~~J. F. Mitchell~~ *John E. Keith*, the holder of Permit No. 17,062? How long have you known him and where does he reside?

Ans. I have known said district ever since its incorporation and I have known John E. Keith the president of the Board of Directors of the said district for a period of 17 years.

Ques. 3. Have you read or heard read said Permit No. 17,062, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is Natural Springs known as Walters Butte Springs located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 10 in T. 1 S R. 2 W of Boise Meridian in Canyon County, State

17062

Ques. 4.

Ans. Cont. of Idaho, and the place of diversion is on the South side of said springs in the SW¹/₄ of said subdivision. The works comprise the diversion dam, an open ditch, and a wood stave and metal pipe 42 and 36 inches in diameter and about 3 miles in length crossing the Snake River in an inverted siphon.

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The works will safely conduct 30-second-feet of water and I have seen in excess of 16-second-feet of water being so conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and a number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which has been made as a direct result of said use.

Ans. The water is being used for irrigation purposes and the subdivision and number of acres irrigated in each subdivision upon which water has been used is shown in the accompanying tabulation. The land is cultivated land and has had the brush removed from it and levelled and ditches and laterals built to it and put in cultivation and otherwise improved for farm and home purposes.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used for no other than irrigation purposes except small portions for domestic purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land within the boundaries of the Reynolds Irrigation District is of a lava ash formation and comprise approximately 1600 acres and requires 30-second-feet of water for its profitable and successful cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

17062

Form 17 Cont.

Quest. 9.

Ans. Cont. I have no interest in the works, water or lands above mentioned.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed the diversion of water from said springs from said system during the present irrigation season and during the month of March prior to the present irrigating season to the full extent of the flow of said springs and in excess of 16-second-feet and have witnessed the application of all of said water to the irrigation of lands within boundary of the said Reynolds Irrigation District.

J. F. Mitchell
(Signed) J. F. Mitchell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Melba, County of Canyon, State of Idaho, on this 20th day of June A.D. 1937.

John A. [Signature]
Notary Public

My commission expires Apr 20 - 1937

17062

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17,062.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Robert Lee Bailey, 67, Wilson, Owyhee County, Idaho.

Ques. 2. Are you acquainted with Reynolds Irrigation Dist., the holder of Permit No. 17,062? How long have you known him and where does he reside?

Ans. I have known said district ever since its incorporation and I have known John E. Keith the president of the Board of Directors of the said district for a period of 17 years.

Ques. 3. Have you read or heard read said Permit No. 17,062, and are you familiar with its provisions and condition?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The source of water supply is Natural Springs known as Walters Butte Springs located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 10 in T. 1 South of Range 2 W of Boise Meridian in Canyon County State of Idaho, and the place of diversion is on the South side of said springs in the SW $\frac{1}{4}$ of said subdivision. The works comprise the diversion dam an open ditch and a wood stave and metal pipe 42 and 36 inches in diameter and about 3 miles in length crossing the Snake River in an inverted siphon.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The works will safely conduct 30-second-feet of water and I have seen in excess of 16-second-feet of water being so conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and a number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. The water is being used for irrigation purposes and the subdivision and number of acres irrigated in each subdivision upon which water has been used is shown in the accompanying tabulation.

Form 17. Cont.

Ques. 4.

Ans. Cont. of Idaho, and the place of diversion is on the South side of said springs in the SW $\frac{1}{4}$ of said subdivision. The works comprise the diversion dam an open ditch and a wood stave and metal pipe 42 and 36 inches in diameter and about 3 miles in length crossing the Snake River in an inverted siphon.

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. The works will safely conduct 30-second-feet of water and I have seen in excess of 16-second-feet of water being so conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and a number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which has been made as a direct result of said use.

Ans. The water is being used for irrigation purposes and the subdivision and number of acres irrigated in each subdivision upon which water has been used is shown in the accompanying tabulation. The land is cultivated land and was had the brush removed from it and levelled and ditches and laterals built to it and put in cultivation and otherwise improved for farm and home purposes.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used for no other than irrigation purposes except small portions for domestic purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land within the boundaries of the Reynolds Irrigation District is of a lava ash formation and comprise approximately 1600 acres and requires 30-second-feet of water for its profitable and successful cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent? 17062

Quest. 6. Cont.

Ans. The land is cultivated land and has had the brush removed from ~~it~~ and levelled and ditches and laterals built to it and put in cultivation and otherwise improved for farm and home purposes.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used for no other than irrigation purposes except small portions for domestic purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land within the boundaries of the Reynolds Irrigation District is of a lava ash formation and comprise approximately 1600 acres and requires 30-second-feet of water for its profitable and successful cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the works, water or lands above mentioned.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed the diversion of water from said springs from said system during the present irrigation season and during the month of March prior to the present irrigating season to the full extent of the flow of said springs and in excess of 16-second-feet and have witnessed the application of all of said water to the irrigation of lands within boundary of the said Reynolds Irrigation district.

Robert Lee Bailey
(Signed) Robert Lee Bailey

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Melba, County of Owyhee, State of Idaho, on this day of June 20th A.D. 1937

John D. Gray
Notary Public.

My commission expires

apr 20 - 1937

17062

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, June 12, 1934

MR. JOHN P. GRAY, Notary Public
Melba,
Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17062

DEPOSITION OF PERMIT HOLDER, DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On June 20, 1934, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Melba, Idaho before John P. Gray, Notary Public

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. FERIS
Commissioner of Reclamation.

17062

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

MR. JOHN P. GRAY, Notary Public
Melba,
Idaho

June 12, 1934

Boise, Idaho,

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. 17062

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On June 30, 1934, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Melba, Idaho, before John P. Gray, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. PARIS
Commissioner of Reclamation

17062

17062

The Owyhee Chronicle

R. H. COLLEY, EDITOR

PHONE 53-J2

HOMEDALE, IDAHO

May 18, 1934

R. W. Faris
Com. Of Reclamation
Boise, Idaho

Dear Sir:

I acknowledge receipt of the 'notice of Completion of Works and Application of Water to Beneficial Use'. It will be published in The Owyhee Chronicle in the issues of May 24-31 and June 7-14 and the affidavit will be sent to John E. Keith, Melba, Idaho. Copies of the paper containing the publication will be mailed to your office. Thanking you, I am,

Yours very truly,

17062

R. H. Colley

May 17, 1934

Re: Permit No. 17062
Reynolds Irrigation District

MR. WALTER J. GRIFFITHS, Attorney
Caldwell,
Idaho

Dear Sir:

The Assignment from John E. Keith to the Reynolds Irrigation District, which you forwarded to this office, has been made a matter of record and is herewith being returned. Immediately after this had been recorded, we mailed a copy of the notice for publication in connection with both proofs to the Owyhee Chronicle, Homedale, Idaho, and also a copy to the Nampa Free Press, Nampa, Idaho, with instructions to publish once a week for four consecutive weeks prior to June 20th which is the date set for proof.

Two sets of depositions, each consisting of one for the holder and one each for two witnesses will be mailed from this office about June 10th to Mr. John P. Gray, Notary Public, Melba, Idaho, so that he will have them for the day designated. We see no objection to the permit holder using the same witnesses for both proofs but the depositions for each proof must be executed separately. When the depositions have been taken they should be mailed to this office with the affidavit of publication from each newspaper.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG
Encl.

17062

The IDAHO FREE PRESS

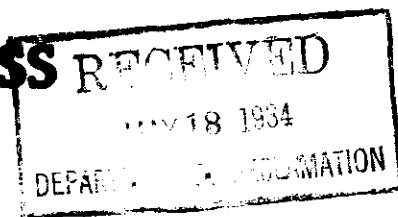
PUBLISHED BY

The Co-Operative Publishing Company

J. T. LaFOND, General Manager



NAMPA, IDAHO



May 17, 1934.

17062

R. W. Paris
Commissioner of Reclamation
Boise, Idaho.

Dear Sir:

Order to run Reynolds Irrigation District, legal in our paper four weeks (once each week) was received today and has been scheduled to appear May 19, 26 and June 2 and 9. Proof of publication will be furnished Mr. Keith and a copy of the first insertion will be mailed to you.

Thanking you, we remain

Yours very truly,
Idaho Free Press.

By *Blanchell Jones*
Clerk.

17062

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date May 16, 1934

EDITOR OWTREE CHRONICLE
Homedale, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 20, 1934, the date set for proof, the expense of the publication to be paid by the applicant,

John E. Keith, President, Reynolds Irrigation District, Malba, Idaho.
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. PARIS

Commissioner of Reclamation

17062

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Date May 16, 1934

**EDITOR IDAHO FREE PRESS
Hampa, Idaho**

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 20, 1934, the date set for proof, the expense of the publication to be paid by the applicant,

John E. Keith, President, Reynolds Irrigation District, Melba, Idaho
to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

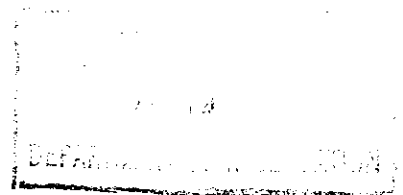
Very truly yours,

R. W. FARIS

Commissioner of Reclamation

1

17062



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) -----September 8th., 1933-----

(P. O.) -----Melba, Idaho-----

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
~~Owyhee Chronicle, of Homedale,~~ Owyhee County, Idaho, and the ~~Free Press~~
of Nampa, Canyon County, Idaho, published in the counties
~~the counties~~ in which the works are situated.

-----John E. Keith-----
John E. Keith

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

-----Fred H. McConnell-----
Engineer.

17062

NOTICE OF PROOF OF COMPLETION OF WORKS

AND

APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given, that at two o'clock P. M. on the 20th day of June, 1934, at the office of John P. Gray, in Malba, County of Canyon, State of Idaho, before John P. Gray, a Notary Public, proof will be submitted of the completion of works for the diversion of thirty (30) cubic feet per second of the waters of Warm Springs Creek, and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 17062, heretofore issued by the Commissioner of Reclamation of the State of Idaho, to John E. Keith, and transferred to Reynolds Irrigation District.

1. The name and postoffice address of the person or corporation, holding said permit, is Reynolds Irrigation District, an irrigation district, located in Owyhee County, State of Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is thirty (30) cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes, and the amount applied to beneficial use is thirty (30) cubic feet per second.

4. The place where said water is used is described in the following tabulation:

Twp.	Rge.	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S	3 W	11	20	20			20								5				65
		12						40	20	40	35	5	35			40	40	35	290
		13	40	40	10.35	35.5	15.75												141.6
	2 W	6						44.35		30.6	37.2								112.15
		17											15						15
		18			35	30	35	39	38.8	40	40	30.55	38.2	20	40	40	30		456.55
		19	30	6															36
		20		10	22	20	25	38	35	35	25			15	40	40	20	40	365
		21										4	16						20
		27											25						25
		28						40										35	75
		29	35																35

Total Number of Acres to be Irrigated

1636.3

17062

5. The source of supply from which said water is diverted is natural springs, supplying Warm Springs Creek, and owned by, and upon land owned by, the holder of said Permit No. 17062.

6. The date of priority which said user is prepared to establish is March 8, 1929.

R. W. FARIS
Commissioner of Reclamation.

May 11, 1934

Re: Permit No. 17062
John E. Keith

MR. WALTER J. GRIFFITHS, Lawyer
Caldwell,
Idaho

Dear Sir:

When you were in this office yesterday afternoon you submitted notice in duplicate for publication for both proof of completion of works and proof of application of water to beneficial use under Permit No. 17062, heretofore issued to John E. Keith.

As we previously stated, Reynolds Irrigation District cannot offer proof under this permit until Mr. Keith has conveyed his interest to the district. We have no doubt but what an instrument has been executed for this purpose but we have no official notice of it since it has not been recorded on the department records. The short form of assignment which was given to you yesterday will be sufficient for transferring this permit if you desire to use it. However, since you submitted your notice for publication prior to the date when this assignment could be effective, it would probably be better to send in your deed and have it recorded. Proof is not to be offered until June 20, 1934, so that there is more than ample time for this to be done before the notice goes to the newspaper.

We are enclosing our Form No. 11 upon which it is suggested that you designate the names of the newspapers in which you desire publication. You previously stated, in a letter, that you desired to have the notice published in the Owyhee Chronicle in Homedale and the Free Press inampa, however, this form will suffice to give your authorization.

The papers which you submitted under date of April 2nd are herewith being returned for whatever disposition you wish to make of them.

Very truly yours,

R. A. FARIS
Commissioner of Reclamation

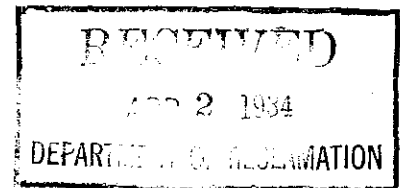
By _____
Chief Clerk & Office Engr.

17062

PLH:RC
Encl.

WALTER GRIFFITHS
LAWYER
WESTERN BUILDING
CALDWELL, IDAHO

March 30th., 1934



State Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

We are inclosing herewith three copies of Notice of Proof of Completion of Works and Application of Water to Beneficial Use, for the ~~Owyhee~~ Irrigation District, and letter authorizing publication of said notice. We are inclosing three copies of the notice, and authorizing the notice to be published in the Owyhee Chronicle at Homedale, and the Idaho Free Press, at Nampa, for the reason that the works are located both in Canyon and Owyhee Counties. We thought it would probably be advisable to have the notice published in papers being published in the two counties.

We have fixed the date for submitting proof on the day of April, 1934, which will give adequate time for completing the publication, and would like to be advised before hand of the time your representative will make an investigation of the works and the land, in order that we may have the ditches and property in condition for completing the investigation with the least delay. As you no doubt know, the source from which we receive a portion of our water for irrigation which is the natural flow of Reynolds Creek, is entirely dry this season, and we are compelled to use the greatest possible economy in applying the water from the springs and for that reason we would like to be advised when your representative will be here, so that we can demonstrate the completion of the works and the application of the water with the least possible loss of both water and time.

Respectfully,

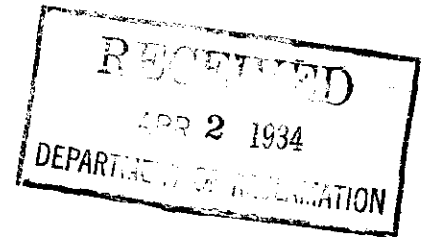
Reynolds Irrigation Dist.
by John E. Smith.
President

WG/MN
Incls.

17062

WALTER GRIFFITHS
LAWYER
WESTERN BUILDING
CALDWELL, IDAHO

April 2nd., 1934



State Commissioner of Reclamation,
Boise, Idaho

Dear Sir:

I have just mailed you a letter from Mr. John E. Keith, President of the Reynolds Irrigation District, in which he has inclosed three copies of Notice of Proof of Completion of Works and Application of Water to Beneficial Use. He has inclosed three copies so that you would have two copies to send to the news-papers for publication, one to the Owyhee Chronicle, at Homedale, and the other to the Free Press at Nampa. He is doing this because the works which have been constructed are located in both Owyhee and Canyon Counties, and the land to be irrigated is located in Owyhee County. The date on which the proof is to be made is left blank, and we will ask you to fill this date in.

The Statute requires that this notice should be sent to your office sixty days before the time for submitting proof. This, as I take it, was intended to give your office sufficient time to make an investigation, and I thought possibly you would feel free to shorten that period. The notice is required to be published for four weeks. So if you think it advisable to fix the date short of the sixty day period requirement, you may insert the date for submitting proof so as to enable the four weeks publication to be complied with. If you think, however, that the notice should be filed in your office for the full sixty days before the proof is submitted, then the time must be sufficient to enable that sixty day period to intervene.

Kindly let me know what date you have determined upon. It might not have been necessary to have this notice published in the two papers, but we thought advisable to do this in order that there might be no question raised in regard to the sufficiency of the publication.

Respectfully,

WG/MN

17062

Walter Griffiths

January 23, 1934

Re: Permits No. 17062 & R-478
John E. Keith

MR. HARRY C. WYMAN, Attorney
Boise,
Idaho

Dear Sir:

We are enclosing herewith office receipt in the amount of \$7.70 which is in payment of certified copies of Permits No. 17062 and R-478 prepared on March 31, 1933, and certified copies of Order Extending Time under Permits No. 17062 and R-478.

The enclosed receipt is being mailed to you as Mr. Keith's agent.

Very truly yours,

R. E. FARIS
Commissioner of Reclamation

By _____
Assistant Chief Clerk

C
End.

17062

17062

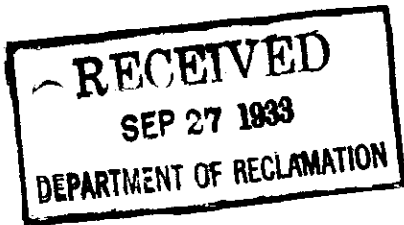
Mr. HARRY C. WYMAN

To STATE DEPARTMENT OF RECLAMATION, Dr.

1933

Dec. 19	To certified copy of Order Extending Time, under Permit No. 17062; and certified copy of Order Extending time, under Permit No. R-478	\$2.20
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17062



HARRY C. WYMAN
ATTORNEY AT LAW
502 XX BOISE CITY NATIONAL BANK BLDG.
P.O. ADDRESS BOX 787 TELEPHONE 334
BOISE, IDAHO

September 22, 1933.

Commissioner of Reclamation,
Boise, Idaho,
R. W. Faris Commissioner.

Dear Sir:

Re: Permit to appropriate the
public waters of the State of
Idaho, No. 17062.

Pursuant to your Extension of Time to John
E. Keith for compliance with each and every act or action
required under the terms of Permit to appropriate the
Public Waters of the State of Idaho, No. 17062, by
reason of the delay in securing necessary consent,
final approval or rejection from the Federal Government
of his application for rights of way filed November 22,
1930,

You are hereby notified that on the ~~8th~~ day of
September ~~21st~~ received from the U. S. Land office at Blackfoot,
Idaho a notice that the map showing the said right of way
had been approved by the Secretary of the Interior.

Yours very truly,

17062

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

In the Matter of the Application)
of JOHN E. KEITH to Extend the)
Time for Requirements Under Permit)
No. 17062, Under the Provisions)
of Section 41-204, Idaho Code)
Annotated.)

ORDER EXTENDING TIME

WHEREAS, John E. Keith filed in the Department of Reclamation of the State of Idaho, an application for extension of time within which to comply with the terms of Permit No. 17062, under the provisions of Section 41-204, Idaho Code Annotated; and,

WHEREAS, On the 26th day of August, 1931, an order was issued by the Commissioner of Reclamation of the State of Idaho, granting such extension of time and that such extension date from November 22, 1930, being the date the applicant filed his application for right of way with the U. S. Land Commissioner at Boise, Idaho; and,

WHEREAS, On September 27, 1933, the applicant filed in the Department of Reclamation of the State of Idaho, notice of removal of the obstruction for which such extension of time was requested, said notice setting forth the fact that the removal of the obstruction dated back to September 8, 1933; and,

WHEREAS, The length of time elapsing between November 22, 1930, the date of the filing of the application for right of way with the U. S. Land Commissioner, and September 8, 1933, the date of removal of the obstruction for which such extension of time was requested, amounts to two years, nine months and seventeen days:

IT IS, THEREFORE, HEREBY ORDERED, That the dates for complying with the terms of said permit No. 17062, be and the same are hereby extended as follows, to-wit:

The time of completion of one-fifth of the work described under said permit be extended from September 12, 1931, to June 29, 1933.

The time for completion of works of diversion described under said permit, be extended from March 12, 1934, to December 29, 1936.

The time for beneficial use of water appropriated under said permit, be extended from March 12, 1940, to December 29, 1942.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office at Boise, Idaho, this 11th day of October, 1933.

17062


Commissioner of Reclamation

August 16, 1933

Re: Permits No. 17062 & R-478

MR. HARRY C. WYMAN
Attorney at Law,
Boise, Idaho

Dear Sir:

Under date of March 31, 1933, we furnished you with certified copies of the above numbered permits. There was a fee due in connection with this service of \$5.00 which to date has not been received. No doubt this matter has escaped your attention and we would appreciate your remittance at your earliest convenience.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____

G

17062

July 22, 1933

Re: Permit No. 17062
John E. Keith

REALTY TRUST COMPANY
Nampa, Idaho

Attention: Mr. Donald C. Potter

Dear Sir:

In conformance with the request contained in your letter of July 13th, we are enclosing herewith the regulation form of bond which is used in connection with permits issued by this office to appropriate the public waters of the state. You say in your letter that you have had a request from Mr. Keith to issue a water permit bond in connection with the Reynolds Irrigation District, however, the Reynolds Irrigation District does not have a water permit and we are quite sure that Mr. Keith had reference to the above permit which is in his own name. You probably got the idea that the bond was for the Reynolds Irrigation District because of the fact that the land for which the water appropriated under Mr. Keith's permit, is situated within the Reynolds Irrigation District.

You will note that we have partially completed the bond with information taken from the permit record, since we presumed that you would not have this data.

Will you insert the name of your surety company and have the bond properly executed and return it to this office for approval?

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

17062

PLH:RG
Encl.

DIRECTORS

O. D. FISHER
CHAIRMAN OF THE BOARD
JOSHUA GREEN
VICE CHAIRMAN OF THE BOARD
JOHN S. BAKER
RALPH H. BALDWIN
S. E. BUCKMASTER
MRS. A. SCOTT BULLITT
C. H. CLARKE
NEIL COONEY
J. F. DOUGLAS
A. S. ELDRIDGE
E. W. HALL

H. K. DENT
PRESIDENT

GENERAL INSURANCE COMPANY OF AMERICA

SEATTLE

REALTY TRUST COMPANY
NAMPA, IDAHO

DIRECTORS

J. A. HUMBIRD
RICHARD E. LANG
HENRY MCCLEARY
W. L. MCCORMICK
J. P. MCGOLDRICK
J. T. MCWAY
A. W. MIDDLETON
HARRY T. NICOLAI
GEO. J. OSGOOD
WM. G. REED
F. C. TALBOT
F. R. TITCOMB

CABLE ADDRESS
"GENERAL"

NAMPA, IDAHO

July 13, 1933

R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Sir:



We have received a request from Mr. J. E. Keith of Melba, Idaho to issue a Water Permit Bond in connection with the Reynolds Irrigation District. It appears as if such a bond has recently been cancelled by High & Fritchman at Boise for non-payment of premium.

Will you please send us a bond form so that we may replace the cancelled bond by one from this office. It is our information that the State of Idaho requires this bond to be written on the state form. Any additional information regarding this type bond will be appreciated.

Thanking you for an early reply, we are

Very truly yours,

Realty Trust Company

By *Ronald C. Patten*

17062

March 13, 1935

RE: PERMITS NOS. 17062 & R-478
John E. Keith

MR. HARRY C. WYMAN
Attorney at Law
Boise, Idaho

Dear Sir:

We are herewith enclosing copies of the above
numbered permits as per your verbal request of March 11,
together with certificates.

The fee for this service, as regulated by
statute, amounts to \$5.00.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:MC
Encls.

17062

HARRY C. WYMAN

ATTORNEY AT LAW

~~202 BOISE CITY NATIONAL BANK BLDG.~~

BOISE, IDAHO

406 Idaho Bldg.

March 11, 1933

Mr. R. W. Faris
Commissioner of Reclamation
Boise, Idaho

Dear Sir: Re: Reynolds Irrigation
District

Will you kindly give me a certified copy of the record of the water filing of John E. Keith, Permit No. 17062 and his reservoir filing, No. 478, and showing extension of time. Maps are not necessary.

If these can be made up in triplicate, one original, the other two copies of Certificate, it will be a very considerable convenience.

It would be greatly appreciated if this could be made at the earliest practicable convenience, and if I am phoned when it is ready, I will call for same.

Phone 334

Yours truly,



HARRY C. WYMAN

HCW/JW

17062

June 3, 1932

RE: PERMIT NO. 17062

MR. JOHN E. KEETH
Melba, Idaho

Dear Sir:

We are enclosing herewith notice of cancellation of your bond on the above numbered permit for failure to pay premium. We received this notice under date of May 28th from High & Fritchman Company of Boise, Idaho. If the premium is not paid at once, so that your bond is restored to good standing, we shall be compelled to serve notice of cancellation on this permit.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

PH/LP
Encl.

17062



RECEIVED

MAY 28 1932

File

High & Fritchman Company

INVESTMENT SECURITIES AND INSURANCE

NINTH AND IDAHO STREETS

BOISE, IDAHO

May 27, 1932.

IRA E. HIGH
PRESIDENT
FRANK MARTIN
VICE PRESIDENT

GEORGE A. ATKINSON
SECY. & TREAS.
CLAUDE R. HIGH
MGR. INSURANCE DEPT.

State Commissioner of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:

We enclose herewith cancellation notice of
Water Permit Bond No. 797924 issued to John E.
Keith of Melba, Idaho. This is being cancelled
for non payment of premium.

Kindly acknowledge receipt of the above.

Very truly yours,

HIGH & FRITCHMAN COMPANY

By

Claude R. High
Mgr. Insurance Dept.

CRH:BB
Enc.

By B

17062

August 27, 1931.

Re: Permit No. 17062

Mr. Harry C. Wyman
Attorney at Law
Boise, Idaho

Dear Sir:-

Enclosed you will find copy of the application of John E. Keith for extension of time for completion of works under the above permit, with order granting such extension.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation.
By _____ Chief Clerk.

Enck.

17062

RE APPLICATION PERMIT NO. 17062
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF IDAHO
APPLICATION FOR EXTENSION OF TIME

TO THE DEPARTMENT OF RECLAMATION OF THE STATE OF IDAHO:

Comes now John E. Keith and shows that he is the applicant for permit No. 17062 to appropriate 30 cubic feet per second of time of the public waters of the state of Idaho for the purpose of irrigation, which permit was approved by the Commissioner of Reclamation March 12, 1929.

That the estimated cost of works was stated in said application to be \$60,000.00.

That in accordance with said permit, he filed, before the time stated in the approval thereof, the bond therein required.

That said permit required that one-fifth of the work above and therein specified be completed on or before September 12, 1931.

That the said applicant is now, and ever since the approval of said permit has been, proceeding diligently and in good faith to complete the necessary works for the irrigation of the lands therein described in accordance with said permit.

That the applicant has, since the approval of said permit, purchased the land upon which is situated the springs which are the entire source of Warm Springs Creek, which is the source of water supply described in said permit and upon which the point of diversion is situated; and that thereafter

your applicant caused numerous wells to be sunk upon said land in the pools formed by said springs for the purpose of developing the water supply, and proceeded to obtain rights of way over and upon which said works are situated; and that the cost of the same and the necessary engineering and legal services in obtaining the necessary lands, rights of way, and plans and specifications for the complete development of said water right under the terms of said application, exceed the sum of \$12,500.00.

That a considerable portion of the necessary right of way for the ditch and pipe line to convey the water from its source of supply to the lands to be irrigated as described in said application, is across lands belonging to the United States, some of which has been filed upon and some of which is unfiled upon, but all of said lands are within the jurisdiction of the United States.

That on the 22nd day of November, 1930, your petitioner first learned the exact location of said rights of way necessarily to be obtained from the Federal Government, and did on said day file with the U. S. Land Commissioner at Boise, Idaho, his application to the Secretary of the Interior for rights of way over and across the said public lands of the United States, accompanied with all of the maps, field notes and other data required by the laws of the United States and the rules and regulations made pursuant thereto by the Department of the Interior, and your applicant has done all things required of him pertaining to said rights of way; but that notwithstanding, your applicant has been unable to obtain the necessary consent or final approval or rejection from the Federal Government of his said application for rights of way or for any part thereof,

and the applicant is now, and ever since the 22nd day of November, 1930, has been prevented from proceeding with his work and completing said irrigation works by his failure to obtain the same, and because of the pendency of his application for said right of way within the jurisdiction of the United States.

Wherefore your applicant asks that, pursuant to law, the Department of Reclamation extend the time for the completion of one-fifth of the work of construction under said permit No. 17062, and for each and every action required by the terms of said permit, for the time caused by such delay of the Federal Government to consent to or finally approve or reject the said application for right of way as aforesaid.

John E. Keith

STATE OF IDAHO)
County of Ada) ss.

John E. Keith, being first duly sworn, deposes and says, that he is the applicant above named under permit No. 17062; that he has read the foregoing application for an extension of time, and knows the contents thereof, and believes the facts therein stated to be true.

John E. Keith

Subscribed and sworn to before me this 25th day of August, 1931.

Evelyn Hess
Notary Public for Idaho,
Residing at Boise, Idaho.

Harry C. Norman
Attorney for Applicant.

17062

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

In the Matter of the Application
of John E. Keith for Extension
of Time for compliance with the
requirements of Permit No. 17062,
Under the Provisions of Sec. 5570,
Idaho Compiled Statutes.

ORDER GRANTING EXTENSION

WHEREAS, On August 25, 1931, John E. Keith filed in the Department of Reclamation of the State of Idaho an application for extension of time for compliance with each and every act or action required under the terms and provisions of Permit to appropriate the public waters of the State of Idaho, No. 17062, under the provisions of Section 5570 of the Idaho Compiled Statutes, for the following reasons, to-wit:

THAT, on the 22nd day of November, 1930, the applicant John E. Keith, filed with the U. S. Land Commissioner at Boise, Idaho, his application to the Secretary of the Interior for rights of way over and across the public lands of the United States, accompanied with all maps, field notes and other data required by the laws of the United States and the rules and regulations made pursuant thereto by the Department of the Interior, and that the applicant has done all things required of him pertaining to said rights of way but that he has been unable to obtain the necessary consent or final approval or rejection from the Federal Government of his said application for rights of way or for any part thereof:

WHEREFORE, IT IS HEREBY ORDERED That, by the reason of the pendency of the application for right of way, and matters within the jurisdiction of the United States over which the applicant has no control, all as hereinbefore set forth, the time for compliance with each and every act or action required under the terms and provisions of said Permit No. 17062 is extended a period of time equal to the time during which the applicant herein is delayed in proceeding with his work and complying with said acts or actions as aforesaid, said extension of time to date from November 22, 1930, being the date the applicant filed his application for right of way with the U. S. Land Commissioner at Boise; and the applicant herein shall notify this office of the removal of the disability above set forth within 30 days from the date of such removal.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Reclamation of Idaho, at Boise, this 26th day of August, 1931.

17062


Commissioner of Reclamation.

RE APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24062
Permit No. 17062

Name of Applicant: John E. Keith,
Post Office address: Melba, County: Owyhee, State: Idaho.

STATE OF IDAHO)
) ss.
County of Ada)

John E. Keith, being first duly sworn, deposes
and says that he is the permittee above named.

That since the time of filing said application
No. 24062 and obtaining said permit No. 17062, it appears
that in order to conserve all of the water of said
springs now running to waste for several months each
year, that a reservoir is necessary as a part of the
irrigation system for the complete irrigation of said
lands, and this affidavit is filed as a part of said
application and permit to correct the statement therein
in answer to the question "Is reservoir to be used?"
from "No" to "Yes."

John E. Keith

Subscribed and sworn to before me this 12th day
of November, 1930.

Nelle Schultz
Notary Public for the State of Idaho,
Residing at Boise, Idaho.

17062

IN THE MATTER OF APPLICATION FOR PERMIT TO
APPROPRIATE WATERS OF WARM SPRINGS CREEK IN
CANYON COUNTY, IDAHO

Application No. 24062
Permit No. 17062

STATE OF IDAHO)
) ss.
County of Ada)

Oscar O. Anderson, being first duly sworn,
deposes and says:

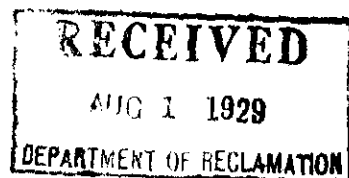
That he has sold and conveyed this day
to John E. Keith, of Melba, who is applicant for
a Permit to appropriate the public waters of the
State of Idaho, Application No. 24062, Permit No.
17062, the lands upon which the springs and point
of diversion, stated in said Application and Permit,
are situated, and that said location of point of
diversion and Application for Permit was with the
consent of affiant, then owner of said land.

Oscar O. Anderson

Subscribed and sworn to before me this 11th day of
July, 1929.

Evelyn Kerr
Notary Public for Idaho,
Residing at Boise, Idaho

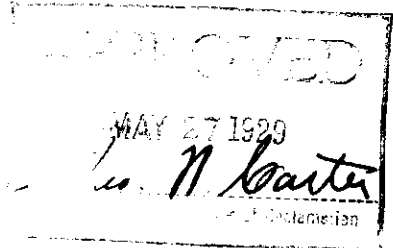
17062



Received and filed for record in the
Office of the Chief Engineer, U.S. Army, at
Washington, D.C.

J. E. A. Aug. 1 1929
See H. Carter of

Recorded in Book 61 of Permits.
Page 17062



BOND

KNOW ALL MEN BY THESE PRESENTS, That JOHN E. KEITH of Melba, Idaho, as principal, and HARTFORD ACCIDENT AND INDEMNITY COMPANY of Hartford, Connecticut, as surety, are held and firmly bound unto the State of Idaho in the full and just sum of ONE THOUSAND AND NO/100 (\$1,000.00) Dollars, lawful money of the United States, to the payment of which sum, well and truly to be made, said principal and surety bind themselves, their heirs, administrators, executors and assigns, jointly and severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that whereas the above named principal on the 3rd day of March, 1929, filed in the office of the Commissioner of Reclamation in Boise, Idaho, a certain application for permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered No. 24062, in accordance with which said application the Commissioner of Reclamation granted and issued to the said principal herein a certain permit numbered No. 17062, a full, true and complete copy of which application No. 24062 and permit No. 17062, is of record in the office of the Commissioner of Reclamation in Book 61 of Permits, at Page 17062.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No. 24062 and permit No. 17062, in the manner and form prescribed therein and within the time therein allowed, then the above obligation to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, The said principal and surety have hereunto set their hands and seals, this 11th day of May, 1929.

Witness:

[Signature]

John E. Keith
Principal

HARTFORD ACCIDENT AND INDEMNITY COMPANY

By [Signature]
Attorney-in-fact.

Countersigned:

George A. Atkinson
Resident Agent, Boise, Idaho

Attest:

[Signature]
Attorney-in-fact.

17062

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise

Permit No. 17062

NOTICE

You are advised that in order to keep this permit in force a bond in the sum of \$ **1,000.00** must be filed in the office of the Commissioner of Reclamation on or before May 11, 1929 19..... conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

GEO. N. GAFFER
Commissioner of Reclamation

17062

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17062

Hon. John E. Keith

Malba, Idaho

Dear Sir:

Boise, Idaho,

March 12, 1929

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

17062

GEO. E. CARTER
Commissioner of Reclamation.